

# AT-5 (Agriculture Transition – 5 Acres) Zoning District

Zoning district for parcels zoned A-1 Agriculture prior to 2019 – CH. 10-Zoning, Section [10.235](#)

## Permitted Uses 10.235(3)

- Single family residence (lots > 25,000 sq ft)
- Residential accessory buildings
- Home occupations
- Foster care for less than 5 children
- Community living arrangements for less than 9 people
- Incidental room rental
- Agricultural uses (parcels > 5 acres)
- Agricultural accessory uses (except those listed as conditional uses below)
- Agricultural entertainment under 10 days/year
- Agricultural accessory buildings
- Farm related exhibitions, up to 5 days/year
- Seasonal storage of recreational equipment and motor vehicles (not owner’s or occupant’s) in existing buildings
- Undeveloped natural resource and open space areas
- Utility services associated with a permitted use
- Transportation, utility or communication uses required by law

## Conditional Uses 10.235(4)

- Attached accessory dwelling units
- Cemeteries
- Day care centers
- Agricultural entertainment activities occurring over 10 days/year
- Airports, landing strips or heliports for aircraft owned by the land owner
- Attached accessory dwelling units
- Community living arrangements for 9 or more persons
- Domestic pet animal boarding (lots > 5 acres)
- Electric generating facilities that use renewable energy
- Farm related exhibitions, sales or events exceeding 10 days a year
- Limited farm business
- Limited family business (lots > 1 acre)
- Sale of agricultural and dairy products not produced on the premise & incidental sale of non-alcoholic beverages and snacks
- Communication towers
- Governmental, institutional, religious, or nonprofit community uses
- Large animal boarding
- Mineral extraction
- Recreational racetracks
- Sanitary facilities in agricultural accessory buildings
- Asphalt or ready-mix concrete plants
- Tourist or transient lodging
- Native wildlife rehabilitation facilities
- Veterinary clinics
- Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not required by law

## Setbacks and Height requirements for Structures 10.235(6-7)

### **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 ordinance: 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 requirement

### **Residences:**

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

**Rear yard:** 50 feet minimum

Uncovered decks/porches: 38 feet minimum

### **Rear and side yards:**

**Not housing livestock:** 10-feet

### **Housing livestock:**

100 feet from Residential or Hamlet zoning districts

50 feet from Rural Residential zoning districts

10 feet from all other zoning districts

See below for accessory building exceptions

## **AT-5 (Agriculture Transition – 5 Acres) Zoning District**

Zoning district for parcels zoned A-1 Agriculture prior to 2019 – CH. 10-Zoning, Section [10.235](#)

### **Lot Area and Width 10.235(5)**

**Minimum lot area:**

**Residential or open space use:** 25,000 sq ft

**Electric generating, limited family businesses:** 1 acre

**Agricultural, agricultural accessory, seasonal storage, pet boarding, sanitary fixtures in accessory**

**buildings:** 5 acres

**Mineral extraction:** 16 acres

**Maximum lot area:** None

**Minimum lot width:**

**Agricultural uses:** 250 ft

**Residential uses:** 90 ft

Note: Maximum density of development is controlled by county and town ordinances and shall not exceed the more restrictive ordinance

### **Lot Coverage 10.235(8)**

**Lots less than 2 acres:**

**Interior lot:** 30% of lot

**Corner lot:** 35% of lot

**Lots greater than 2 acres:** 10% of lot

### **Accessory Buildings Requirements 10.102(2)(a)**

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- Except for agricultural accessory buildings, or for property maintenance sheds approved with a conditional use permit, a principal building must exist or be under construction prior to the construction of an accessory building.
- Except as allowed under an approved CUP, sanitary fixtures are prohibited in accessory buildings.
- No living spaces are allowed in accessory buildings.

**Side and rear setbacks:** Accessory buildings in the rear yard that are at least 10 feet from the principal residence must be at least:

4 feet from and rear or side lot line on lots 90 feet or more in width

2.5 feet from any rear or side lot line on lots less than 90 feet in width

**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.

### **Livestock 10.004(85); 10.235(3)**

- There is no numerical limit on the number of livestock. However, all livestock use must comply with a farm soil and water conservation plan meeting the standards of ATCP 50, Wisconsin Administrative Code and approved by the Department of Land and Water Resources.

### **Incidental Room Rental 10.004(72)**

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's primary residence
- ✓ No more than two bedrooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

### **Limited Family Business 10.004(83)**

A small family-run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.

### **Limited Farm Businesses 10.004(85) & 10.103(13)**

Limited farm businesses are an agricultural accessory use and must meet the following criteria:

- ✓ Consists of a business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm
- ✓ Requires no buildings, structures, or improvements other than existing agricultural buildings or a farm residence
- ✓ Employs no more than 4 full-time equivalent employees annually, who are not members of the family residing on the farm
- ✓ Does not impair or limit the current or future agricultural use of the farm or other protected farmland

## AT-5 (Agriculture Transition – 5 Acres) Zoning District

Zoning district for parcels zoned A-1 Agriculture prior to 2019 – CH. 10-Zoning, Section [10.235](#)

In addition, a **limited farm business** as a conditional use in the AT-35 district is further restricted:

- The uses are limited to those listed as permitted uses in the LC or GC zoning districts, provided the use does not conflict with the overall purposes of the AT-35 district
- The area dedicated to the limited farm business use must not exceed 10,000 square feet in indoor floor area
- The use must be contained entirely within building(s) in existence prior to April 30, 2005
- The landowner must maintain, restore, or enhance the existing exterior character of the building(s)
- No more than 4 non-family employees may be employed.

## AT-35 (Agriculture Transition) Zoning District

Zoning district for transitioning agricultural land near urban developing areas.

CH. 10-Zoning, [Section 10.231](#)

### **Permitted Uses 10.231(2)**

- Agricultural uses
- Agricultural accessory uses (except those listed as conditional uses below)
- Agricultural entertainment less than 10 days per year
- Farm-related exhibitions, sales or events less than 11 days per year
- Large animal boarding
- Seasonal storage of recreational equipment and motor vehicles (including those not owned by the landowner) in existing building
- Sales of agricultural products produced on the premises
- Residences existing as of Feb. 20, 2010 (see below)
- Undeveloped natural resource and open space uses
- Utility services associated with a permitted use
- Transportation, utility, communication or other use required by law

### **Conditional Uses 10.231(3)**

- Agricultural accessory uses:
  - Agricultural entertainment, over 10 days/year
  - Airports, landing strips, heliports for owner of farm
  - Attached accessory dwelling units associated with a farm residence
  - Farm related exhibitions, sales or events, over 10 days/year
  - Farm Residence, subject to 10.103(11)
  - Limited Farm Business, subject to 10.103(13)
- Sale of agricultural and dairy products not produced on the premise and incidental sale of non-alcoholic beverages and snacks
- Transportation, communication, pipeline, electric transmission, utility, or drainage uses not required by law
- Non-metallic mineral extraction
- Limited asphalt or concrete plants
- Renewable energy electricity generators

### **Setbacks and Height requirements for Structures 10.231(5) & 10.231(6)**

#### **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 ordinance: 20 feet minimum

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

#### **Maximum Height:**

Residences: 2½ stories or 35 feet maximum

Accessory buildings: 35 feet maximum

Agricultural buildings: No height requirement

#### **Permitted residences:**

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

**Rear yard:** 50 feet minimum

Uncovered decks/porches: 38 feet minimum

#### **Rear and side yards:**

**Not housing livestock:** 10-feet

#### **Housing livestock:**

100 feet from Residential or Hamlet zoning districts

50 feet from Rural Residential zoning districts

10 feet from all other zoning districts

### **Lot Width & Area 10.231(4)**

**Minimum:** 35 acres

**Maximum:** None

**Minimum lot width:** None

### **Maximum Lot Coverage 10.231(7)**

**Buildings and structures:** None.

### **Accessory Buildings Requirements 10.231(8)**

- Except for secondary farm residences authorized by conditional use permit, no more than one principal building is permitted per lot.
- Accessory buildings may be constructed on property without a principal residence only if it is clearly related to a legitimate farm operation or agricultural accessory use.

## AT-35 (Agriculture Transition) Zoning District

Zoning district for transitioning agricultural land near urban developing areas.

CH. 10-Zoning, [Section 10.231](#)

- Sanitary fixtures are permitted in agricultural accessory buildings
- No living spaces are allowed in accessory buildings.
- 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.

### **Existing Residences in AT-35 10.231(2)1.**

- Any residence lawfully existing as of February 20, 2010 shall be considered a permitted use. Such structures may be added to, altered, restored, repaired, replaced or reconstructed, without limitation, provided **all** of the following criteria are met:
  1. The use remains residential.
  2. The structure complies with all building height, setback, side yard and rear yard standards of this ordinance.
  3. For replacement residences, the structure must be located within 100 feet of the original residence, unless site-specific limitations or town residential siting standards in town plans adopted by the county board require a greater distance. Proposals for a replacement residence that would exceed the 100 foot limitation must be approved by the town board and county zoning committee.
- Residential accessory buildings, home occupations, foster care for less than 5 children, community living arrangements for less than 9 people, and incidental room rental are permitted when associated with:
  - An existing residence as permitted above
  - A farm residence approved by conditional use permit
- Existing residences or secondary residences located on a farm, but which are no longer utilized in the operation of the farm may be rented.

### **Limited Farm Businesses 10.004(85) & 10.103(13)**

Limited farm businesses are an agricultural accessory use and must meet the following criteria:

- ✓ Consists of a business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm
- ✓ Requires no buildings, structures, or improvements other than existing agricultural buildings or a farm residence
- ✓ Employs no more than 4 full-time equivalent employees annually, who are not members of the family residing on the farm
- ✓ Does not impair or limit the current or future agricultural use of the farm or other protected farmland

In addition, a **limited farm business** as a conditional use in the AT-35 district is further restricted:

- The uses are limited to those listed as permitted uses in the LC or GC zoning districts, provided the use does not conflict with the overall purposes of the AT-35 district
- The area dedicated to the limited farm business use must not exceed 10,000 square feet in indoor floor area
- The use must be contained entirely within building(s) in existence prior to April 30, 2005
- The landowner must maintain, restore, or enhance the existing exterior character of the building(s)
- No more than 4 non-family employees may be employed.

# AT-B (Agriculture Transitional - Business) Zoning District

Zoning district for commercial agricultural related uses

CH. 10-Zoning, [Section 10.232](#)

## **Permitted uses 10.232(2)**

- Agricultural uses
- Agriculture-related uses (except those listed as conditional uses below)
- Agricultural accessory uses (except those listed as conditional uses below)
- Agricultural entertainment less than 10 days per year
- Farm-related exhibitions, sales or events less than 11 days per year
- Large animal boarding
- Seasonal storage of recreational equipment and motor vehicles (including those not owned by the landowner) in existing building
- Sales of agricultural products produced on the premises
- Residences existing as of Feb. 20, 2010 (see below)
- Undeveloped natural resource and open space uses
- Utility services associated with a permitted use
- Transportation, utility, communication or other use required by law

## **Conditional uses 10.232(3)**

- Agricultural accessory uses:
  - Agricultural entertainment, 10 days/year or more
  - Airports, landing strips, heliports for owner of farm
  - Farm related exhibitions, sales or events, over 10 days/year
  - Farm Residence, subject to 10.103(11)
  - Secondary farm residences subject to 10.103(11)
  - Attached accessory dwelling units associated with a farm residence
  - Limited Farm Business, subject to 10.103(13)
  - Sale of agricultural and dairy products not produced on the premise & incidental sale of non-alcoholic beverages and snacks
- Transportation, communication, pipeline, electric transmission, utility, or drainage uses not required by law
- Agricultural related uses:
  - Bio-diesel and ethanol manufacturing
  - Biopower facilities for distribution, retail, or wholesale sales
  - Colony House
  - Commercial animal boarding for farm animals, and not including domestic pets
  - Composting facilities
  - Dead stock hauling services
  - Manure processing facilities
  - Stock yards, livestock auction facilities
- Non-metallic mineral extraction
- Limited asphalt or ready-mix concrete plants
- Renewable energy electricity generators

## **Setbacks and Height requirements for structures 10.232(5),(6),(8)**

### **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 ordinance: 20 feet minimum

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

### **Maximum Height:**

Residences: 2½ stories or 35 feet maximum

Accessory buildings: 35 feet maximum

Agricultural buildings: No height requirement

### **Permitted residences:**

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

**Rear yard:** 50 feet minimum

Uncovered decks/porches: 38 feet minimum

### **Rear and side yards:**

**Not housing livestock:** 10-feet

### **Housing livestock:**

100 feet from Residential or Hamlet zoning districts

50 feet from Rural Residential zoning districts

10 feet from all other zoning districts

## **Lot Width & Area 10.232(4)**

**Minimum:** 20,000 square feet

**Maximum:** None

**Minimum lot width:** 100 feet

## **AT-B (Agriculture Transitional - Business) Zoning District**

Zoning district for commercial agricultural related uses

CH. 10-Zoning, [Section 10.232](#)

### **Limited Farm Businesses 10.004(85) & 10.103(13)**

Limited farm businesses are an agricultural accessory use and must meet the following criteria:

- ✓ Consists of a business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm
- ✓ Requires no buildings, structures, or improvements other than existing agricultural buildings or a farm residence
- ✓ Employs no more than 4 full-time equivalent employees annually, who are not members of the family residing on the farm
- ✓ Does not impair or limit the current or future agricultural use of the farm or other protected farmland

In addition, a **limited farm business** as a conditional use in the AT-B district is further restricted:

- The uses are limited to those listed as permitted uses in the LC or GC zoning districts, provided the use does not conflict with the overall purposes of the AT-B district
- The area dedicated to the limited farm business use must not exceed 10,000 square feet in indoor floor area
- The use must be contained entirely within building(s) in existence prior to April 30, 2005
- The landowner must maintain, restore, or enhance the existing exterior character of the building(s)
- No more than 4 non-family employees may be employed.

### **Accessory Buildings Requirements 10.232(8)**

- Accessory buildings 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
- No living spaces are allowed in accessory buildings.
- 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.

# FP-1 (Small Lot Farmland Preservation) Zoning District

Zoning district for to provide modest range of agricultural uses on lots less than 35 acres  
CH. 10-Zoning, [Section 10.221](#)

## Permitted uses 10.221(2)

- Agricultural uses (see below for livestock)
- Agricultural accessory uses (except farm residences and those listed as conditional uses below)
- Large animal boarding
- Farm-related exhibitions, sales or events less than 11 days/year
- Seasonal storage of recreational equipment and motor vehicles (including those not owned by the landowner) inside existing accessory buildings
- Sales of agricultural products produced on the farm
- Undeveloped natural resource and open space uses
- Utility services associated with a permitted use
- Transportation, utility, communication or other use required by law

## Conditional uses 10.221(3)

- Agricultural accessory uses:
  - Agricultural entertainment
  - Limited farm business
  - Farm related exhibitions, sales, or events exceeding 10 days/year
  - Sale of agricultural and dairy products not produced on the premises
  - Incidental sale of non-alcoholic beverages and snacks
  - Sanitary facilities in an agricultural accessory building
  - Livestock on parcels 5 acres or less
  - Livestock in excess of 1 animal unit/acre on parcels between 5 and 35 acres
- Transportation, communication, pipeline, electric transmission, utility, or drainage uses not required by law
- Electric generating facilities derived from renewable energy resources

## Setbacks and Height requirements for structures 10.221(5-6)

### **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 ordinance: 20 feet minimum  
 All other streets: 30 feet minimum from right-of-way

*Lots without road frontage:* Structures must be at least 50 feet from the lot line where primary access is provided.

### **Maximum Height:**

Agricultural buildings: No height requirements

### **Rear and side yards:**

**Not housing livestock:** 10-feet

### **Housing livestock:**

100 feet from Residential or Hamlet zoning districts  
 50 feet from Rural Residential zoning districts  
 10 feet from all other zoning districts

## Lot Size 10.221(4)

**Minimum:** 1 acre

**Maximum:** 35 acres

**Minimum lot width:** None

## Lot Coverage 10.221(7)

### **Lots 2 acres or less:**

Interior lots: 30%      Corner lots: 35%

**Lots over 2 acres:** None



## **FP-1 (Small Lot Farmland Preservation) Zoning District**

Zoning district for to provide modest range of agricultural uses on lots less than 35 acres  
CH. 10-Zoning, [Section 10.221](#)

### **Accessory Buildings Requirements 10221(8)**

- Accessory buildings may be constructed only if it is clearly related to a legitimate farm operation or agricultural accessory use.
- Sanitary fixtures are prohibited in accessory buildings, unless authorized by a conditional use permit.
- No living spaces are allowed in accessory buildings.
- Zoning Permit fees are only 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 10.222(2)**

- Unless authorized under a conditional use permit, livestock are prohibited on parcels of five acres or less.
- Unless authorized under a conditional use permit, livestock are limited to one animal unit per acre on parcels between five and thirty-five acres.
- Livestock and large animal boarding must comply with state soil and water conservation rules (ATCP 50, Wis. Administrative Code).

# FP-35 (General Farmland Preservation) Zoning District

Primary zoning district for farmland preservation -- CH. 10-Zoning, [Section 10.222](#)

## Permitted Uses 10.222(2)

- Agricultural uses
- Agricultural accessory uses (except those listed as conditional uses below)
- Agricultural accessory buildings
- Agricultural entertainment less than 10 days/year
- Farm-related exhibitions, sales or events less than 11 days/year
- Seasonal storage of recreational equipment and motor vehicles (including those not owned by the landowner) in existing accessory buildings
- Residences existing as of Feb. 20, 2010 (see below)
- Large animal boarding
- Sales of agricultural products produced on the premises
- Undeveloped natural resource and open space uses
- Utility services associated with a permitted use
- Transportation, utility, communication or other use required by law

## Conditional Uses 10.222(3)

- Agricultural accessory uses:
  - Agricultural entertainment, 10 days/year or more
  - Airports, landing strips, heliports for owner of farm
  - Farm related exhibitions, sales or events, over 10 days/year
  - Farm Residence, subject to 10.103(11)
  - Attached accessory dwelling units associated with a farm residence
  - Limited Farm Business, subject to 10.103(13)
- Sale of agricultural and dairy products not produced on the premise
- Incidental sale of non-alcoholic beverages and snacks
- Secondary farm residences
  - Transportation, communication, pipeline, electric transmission, utility, or drainage uses not required by law
  - Non-metallic mineral extraction
  - Asphalt & ready-mix concrete plants
  - Limited asphalt or concrete plants
  - Renewable energy electricity generators

## Setbacks and Height requirements for Structures 10.222(5) & 10.222(6)

### 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 ordinance: 20 feet minimum  
 All other streets: 30 feet minimum from right-of-way

### Maximum Height:

Residences: 2½ stories or 35 feet maximum  
 Accessory buildings: 35 feet maximum  
 Agricultural buildings: No height requirement

### Permitted residences:

**Side yard:** 25 feet total, with no single side less than 10 feet minimum  
**Rear yard:** 50 feet minimum  
 Uncovered decks/porches: 38 feet minimum

### Rear and side yards:

**Not housing livestock:** 10-feet

### Housing livestock:

100 feet from Residential or Hamlet zoning districts  
 50 feet from Rural Residential zoning districts  
 10 feet from all other zoning districts

## Lot Width & Area 10.222(4)

**Minimum:** 35 acres  
**Maximum:** None

**Minimum lot width:** None

## Maximum Lot Coverage all buildings and structures

None.

## Accessory Buildings Requirements 10.222(8)

- Accessory buildings 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

## **FP-35 (General Farmland Preservation) Zoning District**

Primary zoning district for farmland preservation -- CH. 10-Zoning, [Section 10.222](#)

- 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.
- 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.

### **Existing Residences in FP-35 10.222(b)1.**

- Any residence lawfully existing as of February 20, 2010 shall be considered a permitted use. Such structures may be added to, altered, restored, repaired, replaced or reconstructed, without limitation, provided **all** of the following criteria are met:
  1. The use remains residential.
  2. The structure complies with all building height, setback, side yard and rear yard standards of this ordinance.
  3. For replacement residences, the structure must be located within 100 feet of the original residence, unless site-specific limitations or town residential siting standards in town plans adopted by the county board require a greater distance. Proposals for a replacement residence that would exceed the 100 foot limitation must be approved by the town board and county zoning committee.
- Residential accessory buildings, home occupations, foster care for less than 5 children, community living arrangements for less than 9 people, and incidental room rental are permitted when associated with:
  - An existing residence as permitted above
  - A farm residence approved by conditional use permit
- Existing residences or secondary residences located on a farm, but which are no longer utilized in the operation of the farm may be rented.

### **Limited Farm Businesses 10.004(85) & 10.103(13)**

Limited farm businesses are an agricultural accessory use and must meet the following criteria:

- ✓ Consists of a business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm
- ✓ Requires no buildings, structures, or improvements other than existing agricultural buildings or a farm residence
- ✓ Employs no more than 4 full-time equivalent employees annually, who are not members of the family residing on the farm
- ✓ Does not impair or limit the current or future agricultural use of the farm or other protected farmland

In addition, a **limited farm business** as a conditional use in the FP-35 district is further restricted:

- The uses are limited to those listed as permitted uses in the LC or GC zoning districts, provided the use does not conflict with the overall purposes of the FP-35 district
- The area dedicated to the limited farm business use must not exceed 10,000 square feet in indoor floor area
- The use must be contained entirely within building(s) in existence prior to April 30, 2005
- The landowner must maintain, restore, or enhance the existing exterior character of the building(s)
- No more than 4 non-family employees may be employed.

## FP-B (Farmland Preservation - Business) Zoning District

Zoning district for commercial agricultural related uses

CH. 10-Zoning, [Section 10.223](#)

### **Permitted uses 10.223(2)**

- Agricultural uses
- Agricultural entertainment less than 10 days/year
- Agricultural accessory uses (except those requiring a CUP below)
- Agriculture-related uses, such as implement dealers, produce processing, etc. (except those requiring a CUP below)
- Farm-related exhibitions, sales or events less than 11 days per year
- Large animal boarding
- Residences existing as of Feb. 20, 2010 (see below)
- Seasonal storage of recreational equipment and motor vehicles (including those not owned by the landowner) in existing buildings
- Sales of agricultural products produced on the premises
- Undeveloped natural resource and open space uses
- Utility services associated with a permitted use
- Transportation, utility, communication or other use required by law

### **Conditional uses 10.223(3)**

- Agricultural accessory uses:
  - Agricultural entertainment, 10 days/year or more
  - Airports, landing strips, heliports for owner of farm
  - Farm related exhibitions, sales or events, over 10 days/year
  - Farm Residence, subject to 10.103(11)
  - Secondary farm residences subject to 10.103(11)
  - Attached accessory dwelling units associated with a farm residence
  - Limited Farm Business, subject to 10.103(13)
  - Sale of agricultural and dairy products not produced on the premise
  - Incidental sale of non-alcoholic beverages and snacks
- Agricultural related uses:
  - Bio-diesel and ethanol manufacturing
  - Biopower facilities for distribution, retail, or wholesale sales
  - Colony House
  - Commercial animal boarding for farm animals, and not including domestic pets
  - Composting facilities
  - Dead stock hauling services
  - Manure processing facilities
  - Stock yards, livestock auction facilities
- Transportation, communication, pipeline, electric transmission, utility, or drainage uses not required by law
- Non-metallic mineral extraction
- Limited asphalt or ready-mix concrete plants
- Renewable energy electricity generators

### **Setbacks and Height requirements for structures 10.223(5-6)**

#### **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 ordinance: 20 feet minimum

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

#### **Maximum Height:**

Residences: 2½ stories or 35 feet maximum

Accessory buildings: 35 feet maximum

Agricultural buildings: No height requirement

#### **Permitted residences:**

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

**Rear yard:** 50 feet minimum

Uncovered decks/porches: 38 feet minimum

#### **Rear and side yards:**

**Not housing livestock:** 10-feet

#### **Housing livestock:**

100 feet from Residential or Hamlet zoning districts

50 feet from Rural Residential zoning districts

10 feet from all other zoning districts

## FP-B (Farmland Preservation - Business) Zoning District

Zoning district for commercial agricultural related uses

CH. 10-Zoning, [Section 10.223](#)

### **Lot Width & Area 10.223(4)**

**Minimum:** 20,000 square feet

**Minimum lot width:** 100 feet

**Maximum:** None

### **Limited Farm Businesses 10.004(85) & 10.103(13)**

Limited farm businesses are an agricultural accessory use and must meet the following criteria:

- ✓ Consists of a business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm
- ✓ Requires no buildings, structures, or improvements other than existing agricultural buildings or a farm residence
- ✓ Employs no more than 4 full-time equivalent employees annually, who are not members of the family residing on the farm
- ✓ Does not impair or limit the current or future agricultural use of the farm or other protected farmland

In addition, a **limited farm business** as a conditional use in the FP-35 district is further restricted:

- The uses are limited to those listed as permitted uses in the LC or GC zoning districts, provided the use does not conflict with the overall purposes of the FP-35 district
- The area dedicated to the limited farm business use must not exceed 10,000 square feet in indoor floor area
- The use must be contained entirely within building(s) in existence prior to April 30, 2005
- The landowner must maintain, restore, or enhance the existing exterior character of the building(s)
- No more than 4 non-family employees may be employed.

### **Accessory Buildings Requirements 10.222(8)**

- Accessory buildings 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
- No living spaces are allowed in accessory buildings.
- 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.

### **Existing Residences in FP-B 10.223(2)(b)1.**

- Any residence lawfully existing as of February 20, 2010 shall be considered a permitted use. Such structures may be added to, altered, restored, repaired, replaced or reconstructed, without limitation, provided **all** of the following criteria are met:
  1. The use remains residential.
  2. The structure complies with all building height, setback, side yard and rear yard standards of this ordinance.
  3. For replacement residences, the structure must be located within 100 feet of the original residence, unless site-specific limitations or town residential siting standards in town plans adopted by the county board require a greater distance. Proposals for a replacement residence that would exceed the 100 foot limitation must be approved by the town board and county zoning committee.
- Residential accessory buildings, home occupations, foster care for less than 5 children, community living arrangements for less than 9 people, and incidental room rental are permitted when associated with:
  - An existing residence as permitted above
  - A farm residence approved by conditional use permit

# GC General Commercial Zoning District

Zoning district for commercial uses – CH. 10-Zoning [Section 10.272](#)

## Permitted Uses 10.272(2)

- Contractor, landscaping or building trade operations
- Undeveloped natural resource and open space areas
- Day care centers
- Governmental, institutional, religious, or nonprofit community uses
- Light industrial
- Office uses
- Indoor entertainment or assembly
- Indoor sales
- Indoor storage and repair
- Personal or professional service
- A transportation, utility, communication, or other use required by law.
- Transient or tourist lodging
- Utility services associated with a permitted use
- Veterinary clinics
- Agriculture and accessory uses (livestock not permitted)

## Conditional Uses: 10.272(3)

- Airport, landing strip or heliport
- Animal boarding, domestic pets
- Cemeteries
- Commercial Indoor Lodging
- Contractor, landscaping or building trades operation (outdoor)
- Communication towers
- Drive-in establishment
- Marinas
- Outdoor active recreation
- Outdoor entertainment
- Outdoor storage
- Offsite parking
- Residential and associated accessory uses
- Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
- Vehicle repair or maintenance service

## Setbacks and Height Requirements 10.272(4),(6)

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

State or Fed. Hwy: 100/42 feet minimum  
 County Highway: 75/42 feet minimum  
 Town Road: 63/30 feet minimum  
 Subdivision streets platted prior to ordinance: 20 feet minimum  
 All other streets: 30 feet minimum

### Height:

**Business, multi-family, mixed-use:** 4 stories maximum  
**Single family residential:** 2 stories or 35 feet maximum

### Side yard:

10 feet minimum

### Rear yard:

**Exclusive business use:** 10 Feet minimum  
**Residential or combined use:** 25 feet minimum

## Lot Width & Area: 10.272(5)

**Commercial lots:** None

**Residential or mixed-use:** lot width 60 feet  
**Private sewer:** 5,000 sq. feet per apartment  
**Public sewer:** 2,000 - 2,250 sq. feet per apartment

## Lot Coverage 10.11(5)

60% maximum

## Residential uses by conditional use permit 10.272(3)

- Caretaker’s residence
- Single family residential
- Attached or detached accessory dwelling units
- Two family residential
- Multifamily residential
- Mixed residential and commercial developments
- Institutional residential
- Manufactured housing communities , subject to s. 10.103(14)
- Rooming house

## **HAM-M (Hamlet Mixed-Use) Zoning District**

Zoning district for traditional business and residential uses in unincorporated hamlets – CH. 10 - Zoning Section [10.262](#)

### **Permitted Uses 10.262(2)**

- Single-family or duplex residences
- Attached accessory dwelling units
- Incidental room rental
- Home occupations
- Transient or tourist lodging
- Foster homes for less than 5 children
- Community living arrangements for less than 9 persons
- Residential accessory buildings
- Office uses
- Personal or professional services
- Indoor sales.
- Governmental, institutional, religious or nonprofit community uses
- Active or passive recreational uses
- Cemeteries
- Undeveloped natural resource and open space areas
- Utility services associated with a permitted use
- Transportation, utility, communication or other uses required by law

### **Conditional Uses: 10.262(3)**

- Detached accessory dwelling units
- Multiple family dwellings and condominiums
- Institutional residential
- Automotive services
- Indoor entertainment or assembly
- Outdoor entertainment
- Limited family business
- Buildings with more than 4 stories or more than 10,000 sq. ft. devoted to commercial use
- Reduction of side yard setback to less than 10 feet total
- Residential accessory buildings between 12 and 16 feet in height
- Commercial indoor lodging
- Outdoor sales events
- Day care centers
- Community living arrangements for 9 or more people
- Transportation, utility, communication or other uses not required by law

### **Setbacks and Height requirements 10.262(5) & (6)**

**Front setback for all structures from highway centerline / right-of-way line (whichever is greater)**  
**In existing platted lots, where existing development is on 30% of block:**

- Existing building line or 5 feet minimum

**For new lots, or if no existing development pattern:**

- 20 feet minimum

**Maximum Height:**

**Commercial / mixed-use buildings (without CUP):** 70 feet or 4 ½ stories maximum, whichever is less. Taller buildings permitted with a CUP.

**Principal residences:** 35 feet or 2 ½ stories maximum, whichever is less.

**Accessory buildings (without a CUP):** 12 feet maximum

**Accessory buildings (with a CUP):** 16 feet maximum.

**Side yard:**

**Without a CUP:** Minimum of 10 feet total from both side lot lines.. A zero side setback is permitted on one side of a building, provided setback from the opposite side is at least 10 feet.

**With a CUP:** Total side yard setbacks may be reduced to less than 10 feet.

**Rear yard:**

**Principal residences:** 16 feet minimum

**Uncovered decks attached to residence:** 8 feet minimum

**Accessory structures:** 6 feet minimum

### **Lot Width & Area: 10.262(4)**

**Lots on public sewer:** 5,000 – 10,000 square feet, 50 feet wide minimum

**Lots not on public sewer:** 20,000 -43,560 square feet, 100 feet wide minimum

### **Lot Coverage 10.262(7)**

60% maximum

## **HAM-M (Hamlet Mixed-Use) Zoning District**

Zoning district for traditional business and residential uses in unincorporated hamlets – CH. 10 - Zoning Section [10.262](#)

### **Livestock 10.262(2)**

Not Permitted

### **Incidental Room Rental 10.004(73)**

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's principal residence
- ✓ No room has its own kitchen facility
- ✓ No more than two rooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

### **Limited Family Business 10.004(84)**

A small family-run commercial operation, accessory to a permitted principle use that takes place entirely within an accessory building. All employees, except up to four or four full-time equivalents, must be a member of the family residing on the premises.



## **HAM-R (Hamlet Residential) Zoning District**

Zoning district for traditional business and residential uses in unincorporated hamlets – CH. 10 - Zoning [Section 10.261](#)

### **Permitted Uses 10.261(2)**

- Single-family or two-family residences
- Home occupations
- Residential accessory structures
- Incidental room rental
- Attached accessory dwelling units
- Governmental, institutional, religious or nonprofit community uses
- Outdoor active or passive recreational uses
- Undeveloped natural resource and open space areas
- Foster homes for less than five children
- Community living arrangements for less than 9 persons
- Keeping of bees and domestic fowl
- Utility services associated with a permitted use
- Transportation, utility, communication or other uses required by law

### **Conditional Uses: 10.261(3)**

- Detached accessory dwelling units
- Multiple family dwellings and condominiums
- Institutional residential
- Principal buildings more than 2 ½ stories tall
- Limited family business
- Reduction of side yard setback to less than 10 feet total
- Residential accessory buildings between 12 and 16 feet in height
- Day care centers
- Community living arrangements for 9 or more people
- Cemeteries
- Transportation, utility, communication or other uses not required by law

### **Setbacks and Height requirements 10.261(5) & (6)**

**Front setback for all structures from highway centerline / right-of-way line (whichever is greater)**  
**In existing platted lots, where existing development is on 30% of block:**

- Existing building line or 5 feet minimum

**For new lots, or if no existing development pattern:**

- 20 feet minimum

**Maximum Height:**

**Principal residences:** 35 feet or 2 ½ stories maximum, whichever is less.

**Accessory buildings (without a CUP):** 12 feet maximum

**Accessory buildings (with a CUP):** 16 feet maximum.

**Side yard:**

**Without a CUP:** Minimum of 10 feet total of both side lot lines. A zero side setback is permitted on one side of a building, provided setback from the opposite side is at least 10 feet.

**With a CUP:** Total side yard setbacks may be reduced to less than 10 feet.

**Rear yard:**

**Principal residences:** 16 feet minimum

**Uncovered decks attached to residence:** 8 feet minimum

**Accessory structures:** 6 feet minimum

### **Lot Width & Area: 10.261(4)**

**Lots on public sewer:** 5,000 – 10,000 square feet, 50 feet wide minimum,

**Lots not on public sewer:** 20,000 – 40,000 square feet, 100 feet wide minimum,

### **Lot Coverage 10.261(7)**

60% maximum

### **Livestock 10.261(2)**

Not Permitted

## **HAM-R (Hamlet Residential) Zoning District**

Zoning district for traditional business and residential uses in unincorporated hamlets – CH. 10 - Zoning [Section 10.261](#)

### **Incidental Room Rental 10.004(73)**

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's principal residence
- ✓ No room has its own kitchen facility
- ✓ No more than two rooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

### **Limited Family Business 10.004(84)**

A small family-run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except up to four or four full-time equivalents, must be a member of the family residing on the premises.

# HC Heavy Commercial Zoning District

Zoning district for commercial land uses – CH. 10-Zoning [10.273](#)

## **Permitted Uses 10.273(2)**

- |  |  |   |
|--|--|---|
| <ul style="list-style-type: none"><li>□ Undeveloped natural resource and open space areas</li><li>□ Agriculture and accessory uses (livestock not permitted)</li><li>□ Adult book stores, subject to s.10.103(2).</li><li>□ Cemeteries</li><li>□ Colony house</li><li>□ Contractor, landscaping, or building trade operations</li><li>□ Day care centers</li></ul> | <ul style="list-style-type: none"><li>□ Freight and bus terminals</li><li>□ Governmental, institutional, religious, or nonprofit community uses</li><li>□ Indoor entertainment or assembly</li><li>□ Indoor sales</li><li>□ Indoor storage and repair</li><li>□ Institutional residential</li><li>□ Light industrial</li><li>□ Off-site parking</li><li>□ Office uses</li><li>□ Outdoor sales, display or repair</li></ul> | <ul style="list-style-type: none"><li>□ Outdoor storage</li><li>□ Personal or professional service</li><li>□ Personal storage facilities (mini-warehouse)</li><li>□ Transient or tourist lodging</li><li>□ A transportation, utility, communication, or other use required by law</li><li>□ Utility services</li><li>□ Vehicle repair or maintenance service</li><li>□ Veterinary clinics</li><li>□ Warehousing and distribution facilities</li></ul> |
|--|--|---|

## **Conditional Uses: 10.273(3)**

- |  |   |   |
|--|---|---|
| <ul style="list-style-type: none"><li>□ Airport, landing strip or heliport</li><li>□ Animal boarding, domestic pet</li><li>□ Animal boarding, large animal</li><li>□ Caretaker's residence</li><li>□ Commercial indoor lodging</li></ul> | <ul style="list-style-type: none"><li>□ Communication towers</li><li>□ Renewable energy generation</li><li>□ Drive-in establishment</li><li>□ Marinas</li><li>□ Outdoor active recreation</li></ul> | <ul style="list-style-type: none"><li>□ Outdoor entertainment</li><li>□ Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not required by law..</li></ul> |
|--|---|---|

## **Setbacks and Height requirements: 10.273(4) & (6)**

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

State or Fed. Hwy: 100/42 feet

County Highway: 75/42 feet

Town Road: 63/30 feet

Subdivision streets platted prior to DCCO: 20 feet

All other streets: 30 feet

### **Side yard:**

10 feet minimum

### **Rear yard:**

10 feet minimum

### **Height:**

50 feet, excluding tanks, storage bins, silos and towers

## **Minimum Lot Width & Area: 10.11(5)**

Lots must have sufficient area to accommodate sanitary, stormwater, and parking for intended uses

## **Lot Coverage 10.11(5)**

60% maximum

# LC Limited Commercial Zoning District

Zoning district intended for small scale businesses

CH. 10-Zoning, [Section 10.271](#)

## **Purpose of the Limited Commercial District 10.271(1)**

- The Limited Commercial Zoning district is intended for small commercial uses that may need to locate in predominantly rural areas due to their often large service areas, and their need for larger lot sizes. In appearance and operation, such uses are often similar to agricultural uses and therefore are more suited to a rural area.
- Such uses include, but are not limited to: Contractor businesses; transportation businesses; building trade businesses; and landscaping operations.
- Limited Commercial uses are typically characterized by: Outdoor stockpiles of materials; storage and maintenance of large construction or transportation equipment; early morning activity; and large utilitarian buildings often with metal siding.
- Limited Commercial uses do not create high traffic volume, have no retail sales, and have limited outdoor lighting and signage.

## **Permitted Uses 10.271(2)**

- Office uses (limited to 6 on-site employees)
- Contractor, landscaping or building trade operations
- Incidental parking for employees
- Indoor storage and repair
- Storage of up to 12 total vehicles and pieces of construction equipment
- Utility services associated with a permitted use
- Undeveloped natural resource and open space areas
- Agricultural and agricultural accessory uses (livestock not permitted)
- Transportation, utility or communication use required by law.

## **Conditional Uses 10.273(3)**

- Outdoor storage
- Caretaker's residence
- Light industrial (see definition below)
- Storage of more than 12 total vehicles and pieces of construction equipment
- Communication towers
- Governmental, institutional, religious, or nonprofit community uses
- Cemeteries
- Transportation, utility or communication use not listed as permitted uses

## **Setbacks, Height, and Size requirements 10.273 (4) & (6)**

### **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 ordinance: 20 feet minimum

All other streets: 30 feet minimum

**Height:** 2 ½ stories or 35 feet maximum

### **Side Yards:**

10 feet minimum each side

### **Rear Yards:**

Commercial buildings: 10 feet minimum

Single family residences: 25 feet minimum

Residential accessory buildings: 10 feet minimum

### **Maximum Size of Commercial Buildings:**

10,000 square feet total floor area per lot

## **Lot Width & Area: 10.273(5)**

**Area:** 20,000 square feet minimum,  
5 acres maximum

**Lot Width:** 100 feet minimum

# **LC-1 Limited Commercial District**

Zoning district intended for small scale businesses  
CH. 10-Zoning, Section 10.271

## **Lot Coverage 10.273(7)**

Maximum 35% of all buildings on property  
Commercial buildings shall not exceed 10,000 sq. ft. in total floor area\*

\*Total floor area is the combined gross floor area of all commercial buildings on zoning lot.

## **Definitions and General Notes for LC-1 Limited Commercial District 10.004, 10.271**

### **DEFINITIONS:**

- **Gross floor area** 10.004(68): The aggregate area of all horizontal levels of a building, expressed in square feet, not including any horizontal level where the average floor to ceiling height is less than 6 feet.
- **Indoor storage and repair** 10.004(77): Uses that are primarily oriented to the receiving, holding and shipping of materials for a single business. Such uses are not for retail sales, storage of personal belongings of others, or warehousing of materials for others. With the exception of loading facilities, such uses are contained entirely within an enclosed building.
- **Light industrial** 10.004(83): **(a)** The processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products, from previously processed or previously manufactured materials. All operations (with the exception of loading operations):
  1. are conducted entirely within an enclosed building;
  2. are not potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line;
  3. do not pose a significant safety hazard (such as danger of explosion); and
  4. include no retail sales.**(b)** Light industrial uses do not include agriculture-related, limited family businesses, Limited farm businesses, small workshops accessory to a permitted use, or heavy industrial uses.
- **Office** 10.004(112): An exclusive indoor land use whose primary function is the handling of information or administrative services. Such uses do not typically provide services directly to customers on a walk-in or on-appointment basis.
- **Outdoor storage** 10.004(117): **(a)** Any activity located primarily outdoors involving the receiving, holding and shipping of materials for a single business. **(b)** Outdoor storage does not include loading and parking areas, storage of materials typically associated with a salvage operation, salvage recycling centers or solid waste recycling centers. **(c)** Outdoor storage of materials is not permitted within any building setback area.

### **NOTES:**

- The total number of vehicles and pieces of construction equipment shall not exceed 12, unless authorized by a Conditional Use Permit.
- Construction equipment, vehicles, or materials shall not be stored between the building setback line and the front lot line.
- Off-street parking shall be provided as required in Section 10.102(8) of the Dane County Code of Ordinances (DCCO).
- Visual screening must be provided as required in Section 10.102(12) and maintained on LC lots adjacent to a SFR, TFR, MFR, RR, or RM districts.
- **LC Contractor Businesses:** Typical contractor businesses permitted in the LC district include, but are not limited to, landscaping, electrical contractors, plumbing contractors, and heating/ventilating/air conditioning (HVAC) contractors.
- **Other Commercial Zoning Districts:** Contractor businesses other than general, mechanical and landscaping contractor businesses may need GC General Commercial or, more commonly, HC Heavy Commercial zoning in order to permit more intensive land uses.

## **Livestock 10.271(2)**

Not Permitted.

## MFR-08 Multi-Family Residential Zoning District

Zoning primarily for 1, 2, and multi-family neighborhoods and incidental uses. [Section 10.255](#).

### **Permitted Uses 10.255(2)**

- o Single family homes – one per parcel
- o Duplexes – one per parcel
- o Multiple family dwellings and condominiums
- o Attached or detached accessory dwelling units
- o Residential accessory structures
- o Transient or Tourist Lodging
- o Incidental room rental
- o Undeveloped natural resource and open space areas
- o Utility services associated with a permitted use
- o Home occupations
- o Community living arrangements for any number of people
- o Foster homes for less than five children
- o Transportation, utility, communication or other use required by state or federal law.

### **Conditional Uses: 10.255(3)**

- o Accessory buildings > 12 ft ≤ 16 ft in height
- o Manufactured home communities
- o Day care centers
- o Community living arrangements for 9 or more people
- o Institutional residential
- o Governmental uses
- o Institutional uses
- o Religious uses
- o Nonprofit community uses
- o Cemeteries
- o Transportation, utility, communications, pipeline, electric transmission, utility, or drainage uses

### **Setbacks and Height Requirements for Principal Structures 10.255(5)-(6); 10.102(9)**

#### **Front setbacks 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 ordinance: 20 feet minimum

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

Multifamily buildings shall provide a front yard of not less than 15 feet

#### **Maximum Height:**

1 or 2 family dwellings: Two and one-half stories or 35 feet (mean of roof)

Multi-family: 4 stories

Accessory structures: 12 feet

**Side yard:** 10 feet minimum each side

**Rear yard:** 25 feet minimum

uncovered decks/porches: 13 feet minimum

#### **Accessory structures in rear yard:**

**Side and rear minimum setbacks:**

**Lots 60 feet or wider:** 4 feet

**Lots less than 60 feet wide:** 2.5 feet

### **Lot Width & Area: 10.255(4)**

**Public Sewer:** Minimum 60 feet at building line and 8,000 sq. ft.

**Septic System:** Minimum 100 feet at building line and 20,000 sq. ft.

### **Maximum Lot Coverage: 10.255(7) All buildings and structures**

**Non-corner lot:** 35% maximum

**Corner lot:** 40% maximum

Accessory buildings cannot exceed 100% of the area of the footprint of the principal building.

## **MFR-08 Multi-Family Residential Zoning District**

Zoning primarily for 1, 2, and multi-family neighborhoods and incidental uses. [Section 10.255](#).

### **Accessory Buildings Requirements 10.004(2); 10.102(2)(a)**

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- A principal residential use (home) exists or is under construction before a zoning permit for an accessory building may be issued.
- Accessory buildings shall not exceed 12 feet average height (mean of roof) unless permitted under an approved conditional use permit.
- Sanitary fixtures are prohibited in accessory buildings.
- No living spaces are allowed in accessory buildings.
- Reduced setbacks may be used for accessory buildings. The building 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 60 feet or more in width
  - Minimum 2.5-foot side yard and rear yard setbacks on lots less than 60 feet in width

**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, provided they meet setback, height, and lot coverage requirements.

### **Livestock**

Not Permitted (e.g. horses, pigs, cows, llamas)

### **Incidental Room Rental 10.004(73)**

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's primary residence
- ✓ No more than two bedrooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

### **Manufactured Home Communities: 10.103(15)**

**Space or lot size:** Not less than 3,000 square feet

**Spacing between manufactured homes:**

Minimum 20 feet between homes.

Spaces established prior to May 31, 1998: 10 feet between homes.

**Spacing between manufactured homes and accessory building and structures:** 5 feet.

**Off-street parking:** 1 ½ spaces per dwelling unit.

**Landscaping (each space):** At least one fast growing tree at least 2 inches in diameter and two bushes or shrubs at least 3 feet in height.

**Parks and recreation facilities:** At least ½ acre for each 50 or fraction of 50 lots in the community. Park shall be equipped with a sufficient amount of playground equipment to accommodate the children living in the community.

**Removal and replacement of manufactured homes:** Manufactured homes may be removed and replaced in a manufactured home community provided that replacement is in compliance with the regulations of this chapter and subsection applicable to the community.

# MI Manufacturing & Industrial Zoning District

CH. 10-Zoning, [Section 10.282](#)

## **Purpose of the Manufacturing Industrial District 10.282(1)**

The Manufacturing and Industrial Zoning District is intended to accommodate industrial, processing and extractive uses, where: primary activity occurs either indoors or outdoors; uses are intensive, and at relatively high densities and may produce a high volume of employee and freight traffic; uses require separation from residential uses; uses may require full urban services or create intensive electrical, water or other utility demand, and; uses are appropriate to an urbanized or industrial area.

## **Permitted Uses 10.282(2)**

- o Undeveloped natural resource and open space areas
- o Adult book stores, subject to s.10.103(2)
- o Adult entertainment, subject to the provisions of the Adult Entertainment Overlay District (AED)
- o Agriculture and accessory uses (livestock not permitted)
- o Animal boarding, domestic pets
- o Animal boarding, large animal
- o Electric generating facilities
- o Fertilizer manufacture, mixing or blending
- o Freight and passenger bus terminals
- o Government, institutional, religious or nonprofit community uses
- o Drive-in establishments
- o Personal or professional service
- o Indoor entertainment and assembly
- o Indoor storage and repair
- o Indoor sales
- o Marinas
- o Outdoor sales, display or repair
- o Heavy industrial uses
- o Light industrial uses
- o Contractor, landscaping or building trade operations
- o Off-site parking lot or garage
- o Office uses
- o Outdoor active recreation
- o Outdoor entertainment
- o Outdoor storage
- o Personal storage facilities
- o Utility services
- o Vehicle repair or maintenance services
- o Veterinary clinics
- o Transportation, utility or communication use required by law
- o Warehousing and distribution facilities
- o Wastewater treatment facilities

## **Conditional Uses 10.282(3)**

- o Asphalt and concrete production
- o Biodiesel and ethanol manufacturing
- o Biopower facilities for distribution & sales
- o Communication towers
- o Commercial processing or composting of organic by-products or wastes
- o Demolition material disposal sites
- o Dumping grounds
- o Incinerator sites
- o Manure processing facilities
- o Processing or composting of organic by-products or wastes
- o Mineral extraction operations
- o Salvage & salvage recycling operations
- o Solid waste disposal or recycling operations
- o Stockyards, livestock auction facilities
- o Storage of explosive materials
- o Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not required by law



## MI Manufacturing & Industrial Zoning District CH. 10-Zoning, Section 10.282

### **Setbacks, Height, and Size requirements 10.282 (4) & (6)**

**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 ordinance: 20 feet minimum

All other streets: 30 feet minimum

**Height:** 50 feet maximum, not including tanks, storage bins, silos and towers.

**Side Yards:**

10 feet minimum each side

**Rear Yards:**

10 feet minimum

### **Lot Width & Area: 10.282(5)**

Lots must have sufficient area to accommodate sanitary, stormwater, and parking for intended uses

## **NR-C Natural Resource Conservancy Zoning District**

Zoning district to protect, maintain, and enhance natural resources and open space areas.

CH. 10-Zoning, [Section 10.211](#)

### **Permitted Uses 10.211 (2)**

- Undeveloped natural resource and open space areas
- Hiking, fishing, trapping, hunting, swimming and boating
- Outdoor passive recreation
- Propagation and raising of game animals, fowl and fish
- Silviculture (planting, thinning and harvesting of timber)
- Harvesting of wild crops in a manner that is not injurious to the natural reproduction of such crops
- Pasturing/grazing of livestock
- Uses permitted within a wetland under DCCO 11.07 and 11.08
- Soil conservation, shoreland, wetland and ecological restoration practices approved by the Director of the Land and Water Resources
- Nonresidential buildings or structures accessory to any permitted use
- Invasive species control

### **Conditional Uses 10.211(3)**

- Establishment and development of public parks, private parks, recreational areas, boat access sites, outdoor education areas, historic areas, wildlife refuges, game preserves, and private wildlife habitat areas
- Soil conservation, shoreland, wetland and ecological restoration practices not listed as a permitted use
- Construction and maintenance of roads, railroads, or utilities which cannot practically be located outside of the NR-C district

### **Livestock 10.211(2)**

- The pasturing and grazing of livestock is limited to one (1) animal unit for each full acre
- One animal unit shall be defined as being the equivalent of 1 cow, 4 hogs, 10 sheep, 10 goats, 100 poultry, 1 horse, 1 pony, 1 mule or 100 rabbits or an equivalent combination thereof. The WI DNR Animal Unit Worksheet shall be used to determine animal unit if not defined above

### **Setbacks and Height Requirements for Principal Structures 10.211(4)**

#### **Front setbacks 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 ordinance: 20 feet minimum

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

*Lots without road frontage:* Structures must be at least 4 feet from the lot line where primary access is provided.

#### **Side yard:**

4 feet minimum

#### **Rear yard:**

4 feet minimum

### **Lot Area: 10.211(4)**

**Minimum lot size:** None

**Maximum lot size:** None

### **Maximum Lot Coverage: 10.211(6)**

**All buildings and structures:** 10% of the lot in the NR-C district

## **NR-I Natural Resource Identification Overlay Zoning District**

Overlay district for minimizing impacts to sensitive environmental features by identifying natural resources and allowing for appropriate design and siting of development as identified in town and county plans such as providing buffers and preventing fragmentation of conservation resources.

CH. 10-Zoning, [Section 10.303](#)

### **Permitted and Conditional Uses 10.303(2)**

- All permitted and conditional uses in the underlying zoning district, provided development conforms to the performance standards below.

### **Application Information 10.303(3)**

The following must accompany any zoning or conditional use permit application:

- A site plan meeting all the requirements of s. 10.101(6).
- A Preliminary Review Letter from the Dane County Department of Land and Water Resources confirming that erosion control and stormwater management standards can be readily met. \*
- Other natural elements as specifically identified in applicable, adopted town/county comprehensive plans

\* If determined necessary by the zoning administrator

### **Performance Standards 10.303(4)**

Any development activity must conform to the approved site plan for the project, as determined by the Zoning Administrator.

## RE Recreational Zoning District

Zoning district primarily for mix of environmental conservation and passive and active outdoor recreational land uses – CH. 10-Zoning, [Section 10.212](#)

### **Permitted Uses 10.212(2)**

- Undeveloped natural resource and open space areas
- Hiking, fishing, trapping, hunting, swimming and boating
- Outdoor passive & active recreation, non-lighted
- Propagation and raising of game animals, fowl and fish
- Silviculture (planting, thinning and harvesting of timber)
- The harvesting wild crops in a manner that is not injurious to the natural reproduction of such crops
- Pasturing/grazing of livestock, subject to animal unit limitation
- Uses permitted within a wetland under DCCO 11.07 and 11.08
- Soil conservation, shoreland, wetland and ecological restoration practices
- Nonresidential buildings or structures accessory to any permitted use
- Public and private parks and recreation areas, primitive campgrounds, boat access sites, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game preserves and private wildlife habitat areas
- Community gardens
- Agricultural uses
- Unlit outdoor active recreation
- Recreational accessory uses
- Utility services associated with a permitted use
- Construction and maintenance of roads, railroads, or utilities which cannot practically be located outside of the RE district

### **Conditional Uses: 10.212(3)**

- Campgrounds
- Caretaker's residence
- Cemeteries
- Indoor active recreation
- Outdoor active recreation, lighted for nighttime activities
- Outdoor assembly events
- Outdoor entertainment

### **Setbacks and Height Requirements for Principal Structures: 10.212(5)**

#### **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 ordinance: 20 feet minimum

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

*Lots without road frontage:* Structures must be at least 4 feet from the lot line where primary access is provided.

#### **Side yard:**

4 feet minimum

#### **Rear yard:**

4 feet minimum

#### **Maximum Height:**

**Residence:** Two and one-half stories or 35 feet (mean of roof)

**Other Uses:** 4 stories or 50 feet

### **Lot Coverage: 10.212(6)**

**All buildings and structures:** 15% of the lot in the RE district

### **Lot Area: 10.212(4)**

**Minimum lot size:** 15,000 square feet

**Maximum lot size:** None

## RE Recreational Zoning District

Zoning district primarily for mix of environmental conservation and passive and active outdoor recreational land uses – CH. 10-Zoning, [Section 10.212](#)

### **Livestock 10.211(2)**

- o The pasturing and grazing of domestic animals is limited to one (1) animal unit for each full acre
- o The pasturing and grazing of livestock is only permitted within wetlands and is also limited to one (1) animal unit for each full acre
- o One animal unit shall be defined as being the equivalent of 1 cow, 4 hogs, 10 sheep, 10 goats, 100 poultry, 1 horse, 1 pony, 1 mule or 100 rabbits or an equivalent combination thereof. The WI DNR Animal Unit Worksheet shall be used to determine animal unit if not defined above

# RI Rural Industry Zoning District

## CH. 10-Zoning, [Section 10.281](#)

### **Purpose of the Rural Industrial District 10.281(1)**

- The Rural Industry Zoning District is intended to accommodate industrial, processing and extractive uses, where primary activity often occurs outdoors uses require large land areas and separation from residential uses; uses do not require full urban services or create intensive electrical, water or other utility demand, and; uses are appropriate to a rural area.

### **Permitted Uses 10.281(2)**

- Office uses
- Contractor, landscaping or building trade operations
- Incidental parking for employees
- Indoor storage and repair
- Incidental indoor maintenance
- Outdoor storage
- Light industrial
- Utility services
- Undeveloped natural resource and open space areas
- Agricultural use
- Agricultural accessory uses, except farm residences
- Transportation, utility or communication use required by law.

### **Conditional Uses 10.281(3)**

- Asphalt and concrete production
- Caretaker's residence
- Communication towers
- Commercial processing or composting of organic by-products or wastes
- Demolition material disposal sites
- Dumping grounds
- Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources
- Incinerator sites
- Mineral extraction operations
- Outdoor sales, display, or repair
- Salvage operations
- Slaughterhouses, meat processing plants
- Stock yards, livestock auction facilities
- Solid waste disposal or recycling operations
- Storage of explosive materials
- Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not required by law
- Wastewater treatment facilities

### **Setbacks, Height, and Size requirements 10.283 (4) & (6)**

#### **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 ordinance: 20 feet minimum

All other streets: 30 feet minimum

#### **Side Yards:**

10 feet minimum each side

#### **Rear Yards:**

25 feet minimum

**Height:** 2 ½ stories or 35 feet maximum

### **Lot Width & Area: 10.273(5)**

**Area:** 16 acres minimum

**Lot Width:** 100 feet minimum

### **Lot Coverage 10.273(7)**

Maximum 35% of all buildings on property

# RM-8 (Rural Mixed Use, 8-16 Acres) Zoning District

Zoning district for agricultural and other rural uses – CH. 10-Zoning, [Section 10.233](#)

## **Permitted Uses 10.233(2)**

- Agricultural uses
- Agricultural accessory Uses (except those listed as conditional uses below)
- Agricultural entertainment under 10 days/year
- Agricultural accessory buildings
- Farm related exhibitions, up to 5 days/year
- Single family residential – one per parcel
- Residential accessory structures
- Seasonal storage of recreational equipment and motor vehicles (not owner's or occupant's) in existing buildings
- Undeveloped natural resources and open space areas
- Home occupations
- Utility services
- Incidental room rental
- Community living arrangements for fewer than 9 persons
- Foster homes for less than five children
- Utility services associated with a permitted use
- Transportation, utility or communication uses required by law

## **Conditional Uses 10.233(3)**

- Agricultural entertainment activities occurring 10 days/year or more
- Attached accessory dwelling units
- Cemeteries
- Community living arrangements for 9 or more persons
- Domestic pet animal boarding
- Electric generating facilities that use renewable energy
- Farm related exhibitions, sales or events exceeding 5 days a year
- Governmental, institutional, religious, or nonprofit community uses
- Large animal boarding
- Limited family business
- Limited farm business
- Migrant farm labor camps certified under s. 103.92, Wis. Stats.
- Property maintenance sheds (600 sq. ft. or less)
- Recreational racetracks
- Sanitary facilities in agricultural accessory buildings
- Tourist or transient lodging
- Veterinary clinics
- Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not required by law

## **Setbacks and Height requirements for Structures 10.233(5-6)**

### **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 ordinance: 20 feet minimum

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

### **Maximum Height:**

Residences: 2½ stories or 35 feet maximum

Accessory buildings: 35 feet maximum

Agricultural buildings: No height requirement

### **Residences:**

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

**Rear yard:** 50 feet minimum

Uncovered decks/porches: 38 feet minimum

### **Rear and side yards:**

**Not housing livestock:** 10-feet

### **Housing livestock:**

100 feet from Residential or Hamlet zoning districts

50 feet from Rural Residential zoning districts

10 feet from all other zoning districts

## **Lot Area and Width 10.233(4)**

**Minimum:** 8 acres

**Maximum:** less than 16 acres, excluding right-of-way

**Minimum lot width:** 100 feet

## **Lot Coverage 10.233(7)**

**All buildings and structures:** 10% of lot

## **RM-8 (Rural Mixed Use, 8-16 Acres) Zoning District**

Zoning district for agricultural and other rural uses – CH. 10-Zoning, [Section 10.233](#)

### **Accessory Buildings Requirements 10.102(2)(a)**

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- Except for agricultural accessory buildings, or property maintenance sheds approved by conditional use permit, a principal building must exist or be under construction prior to the construction of an accessory building.
- Except as allowed under an approved CUP, sanitary fixtures are prohibited in accessory buildings.
- No living spaces are allowed in accessory buildings.

**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.

### **Livestock 10.004(85); 10.233(2)**

- There is no numerical limit on the number of livestock. However, all livestock use must comply with a farm soil and water conservation plan meeting the standards of NR 151, Wisconsin Administrative Code and approved by the Department of Land and Water Resources.

### **Incidental Room Rental 10.004(72)**

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within, and share a main building entrance, the landowner's primary residence
- ✓ No more than two bedrooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

### **Limited Family Business 10.004(83)**

A small family-run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.



# RM-16 (Rural Mixed Use, 16 Acres) Zoning District

Zoning district for agricultural and other rural uses – CH. 10-Zoning, [Section 10.234](#)

## **Permitted Uses 10.234(2)**

- Agricultural uses
- Agricultural accessory uses
- Agricultural entertainment under 10 days/year
- Agricultural accessory buildings
- Farm related exhibitions, up to 5 days/year
- Single family residential – one per parcel
- Residential accessory structures
- Seasonal storage of recreational equipment and motor vehicles (not owner’s or occupant’s) in existing buildings
- Undeveloped natural resources and open space areas
- Home occupations
- Utility services
- Incidental room rental
- Community living arrangements for fewer than 9 persons
- Foster homes for less than five children
- Utility services associated with a permitted use
- Transportation, utility or communication uses required by law

## **Conditional Uses 10.234(3)**

- Agricultural entertainment activities occurring over 10 days/year
- Airports, landing strips or heliports for aircraft owned by the land owner
- Attached accessory dwelling units
- Cemeteries
- Community living arrangements for 9 or more persons
- Domestic pet animal boarding
- Electric generating facilities that use renewable energy
- Farm related exhibitions, sales or events exceeding 5 days a year
- Governmental, institutional, religious, or nonprofit community uses
- Large animal boarding
- Limited family business
- Limited farm business
- Migrant farm labor camps certified under s. 103.92, Wis. Stats.
- Mineral extraction
- Recreational racetracks
- Sanitary facilities in agricultural accessory buildings
- Temporary asphalt or concrete production
- Tourist or transient lodging
- Veterinary clinics
- Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not required by law

## **Setbacks and Height requirements for Structures 10.234(5-6)**

### **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 ordinance: 20 feet minimum  
 All other streets: 30 feet minimum from right-of-way

### **Maximum Height:**

Residences: 2½ stories or 35 feet maximum  
 Accessory buildings: 35 feet maximum  
 Agricultural buildings: No height requirement

### **Residences:**

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

**Rear yard:** 50 feet minimum

Uncovered decks/porches: 38 feet minimum

### **Rear and side yards:**

**Not housing livestock:** 10-feet

### **Housing livestock:**

100 feet from Residential or Hamlet zoning districts  
 50 feet from Rural Residential zoning districts  
 10 feet from all other zoning districts

## **Lot Area and Width 10.234(4)**

**Minimum:** 16 acres

**Maximum:** None

**Minimum lot width:** 100 feet

## **RM-16 (Rural Mixed Use, 16 Acres) Zoning District**

Zoning district for agricultural and other rural uses – CH. 10-Zoning, [Section 10.234](#)

### **Lot Coverage 10.234(7)**

**All buildings and structures:** 10% of lot

### **Accessory Buildings Requirements 10.102(2)(a)**

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- Except for agricultural accessory buildings, a principal building must exist or be under construction prior to the construction of an accessory building.
- Except as allowed under an approved CUP, sanitary fixtures are prohibited in accessory buildings.
- No living spaces are allowed in accessory buildings.

**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.

### **Livestock 10.004(85); 10.234(2)(a)**

There is no numerical limit on the number of livestock. However, all livestock use must comply with a farm soil and water conservation plan meeting the standards of NR 151, Wisconsin Administrative Code and approved by the Department of Land and Water Resources.

### **Incidental Room Rental 10.004(72)**

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's primary residence
- ✓ No more than two bedrooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

### **Limited Family Business 10.004(83)**

A small family-run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.

## RR-1 Rural Residential Zoning District

Zoning district for single family homes with agricultural uses – CH. 10-Zoning, [Section 10.241](#)

### **Permitted Uses 10.241(2)**

- Single family home – one per parcel
- Small-scale farming
- Residential accessory uses
- Home occupations
- Incidental room rental
- Community living Arrangements for less nine (9) persons
- Foster homes for less than five children
- Undeveloped natural resource and open space areas
- Utility services associated with a permitted use
- Transportation, utility, communication, or other use required by law

### **Conditional Uses 10.241(3)**

- Attached accessory dwelling units
- Cemeteries
- Limited family business
- Day Care Centers
- Community living arrangements for nine (9) or more people
- Governmental, institutional, religious, or nonprofit community uses
- Transient or Tourist Lodging
- Transportation, communication, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above

### **Setbacks and Height Requirements for Structures 10.241(5),(6)**

#### **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 ordinance: 20 feet minimum

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

#### **Maximum Height:**

Residences: 2½ stories or 35 feet maximum

Accessory buildings: 16 feet maximum

Agricultural buildings: No height requirement

#### **Residences:**

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

**Rear yard:** 50 feet minimum

Uncovered decks/porches: 38 feet minimum

#### **Rear and side yards:**

**Not housing livestock:** 10-feet

#### **Housing livestock:**

100 feet from Residential or Hamlet zoning districts

50 feet from Rural Residential zoning districts

10 feet from all other zoning districts

### **Lot Width & Area 10.241(4)**

**Minimum:** 1 acre

**Minimum lot width:** 100 feet

**Maximum:** less than 2 acres, excluding right-of-way

### **Maximum Lot Coverage 10.241(7)**

**Maximum building coverage of lot:** Interior lot: 30% of lot area    Corner lot: 35% of lot area

### **Accessory Buildings Requirements 10.102(2)(a)**

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- A principal residential use (home) exists or is under construction before a Zoning Permit for an accessory building may be issued.
- Sanitary fixtures are prohibited in accessory buildings.
- No living spaces are allowed in accessory buildings.

**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.

### **Livestock 10.004(85); 10.103(18)**

- The number of livestock kept is limited to one (1) animal unit for each full acre.
- An animal unit is defined as the equivalent of 1 cow; 4 hogs; 10 sheep or goats; 100 poultry or rabbits; 1 horse, pony, or mule; or an equivalent combination thereof.

## RR-1 Rural Residential District

Zoning district for single family homes with agricultural uses – CH. 10-Zoning, Section 10.241

### **Incidental Room Rental 10.004(72)**

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's primary residence
- ✓ No more than two bedrooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

### **Limited Family Business 10.004(83)**

A small family-run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.

## RR-2 Rural Residential Zoning District

Zoning district for single family homes with agricultural uses – CH. 10-Zoning, [Section 10.242](#)

### **Permitted Uses 10.242(2)**

- Single family home – one per parcel
- Small-scale farming
- Residential accessory uses
- Home occupations
- Incidental room rental
- Community living Arrangements for less nine (9) persons
- Foster homes for less than five children
- Undeveloped natural resource and open space areas
- Utility services associated with a permitted use
- Transportation, utility, communication, or other use required by law

### **Conditional Uses 10.242(3)**

- Attached accessory dwelling units
- Animal use exceeding one animal unit per acre
- Cemeteries
- Limited family business
- Day Care Centers
- Community living arrangements for nine (9) or more people
- Governmental, institutional, religious, or nonprofit community uses
- Transient or Tourist Lodging
- Transportation, communication, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above

### **Setbacks and Height Requirements for Structures 10.242(5),(6)**

#### **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 ordinance: 20 feet minimum

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

#### **Maximum Height:**

Residences: 2½ stories or 35 feet maximum

Accessory buildings: 35 feet maximum

Agricultural buildings: No height requirement

#### **Residences:**

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

**Rear yard:** 50 feet minimum

Uncovered decks/porches: 38 feet minimum

#### **Rear and side yards:**

**Not housing livestock:** 10-feet

#### **Housing livestock:**

100 feet from Residential or Hamlet zoning districts

50 feet from Rural Residential zoning districts

10 feet from all other zoning districts

### **Lot Width & Area 10.242(4)**

**Minimum:** 2 acres

**Minimum lot width:** 100 feet

**Maximum:** less than 4 acres, excluding right-of-way

### **Maximum Lot Coverage 10.242(7)**

**Maximum building coverage of lot:** 10% of lot area

### **Accessory Buildings Requirements 10.102(2)(a)**

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- A principal residential use (home) exists or is under construction before a Zoning Permit for an accessory building may be issued.
- Sanitary fixtures are prohibited in accessory buildings.
- No living spaces are allowed in accessory buildings.

**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.

### **Livestock 10.004(85); 10.103(18)**

- The number of livestock kept is limited to one (1) animal unit for each full acre.
- An animal unit is defined as the equivalent of 1 cow; 4 hogs; 10 sheep or goats; 100 poultry or rabbits; 1 horse, pony, or mule; or an equivalent combination thereof.

## RR-2 Rural Residential District

Zoning district for single family homes with agricultural uses – CH. 10-Zoning, Section 10.242

### **Incidental Room Rental 10.004(72)**

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's primary residence
- ✓ No more than two bedrooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

### **Limited Family Business 10.004(83)**

A small family-run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.

## RR-4 Rural Residential Zoning District

Zoning district for single family homes with agricultural uses – CH. 10-Zoning, [Section 10.243](#)

### Permitted Uses 10.243(2)

- Single family home – one per parcel
- Small-scale farming
- Residential accessory uses
- Home occupations
- Incidental room rental
- Community living Arrangements for less nine (9) persons
- Foster homes for less than five children
- Undeveloped natural resource and open space areas
- Utility services associated with a permitted use
- Transportation, utility, communication, or other use required by law

### Conditional Uses 10.243(3)

- Attached accessory dwelling units
- Animal use exceeding one animal unit per acre
- Cemeteries
- Limited family business
- Day Care Centers
- Community living arrangements for nine (9) or more people
- Governmental, institutional, religious, or nonprofit community uses
- Transient or Tourist Lodging
- Transportation, communication, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above

### Setbacks and Height Requirements for Structures 10.243(5),(6)

#### 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 ordinance: 20 feet minimum

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

#### Maximum Height:

Residences: 2½ stories or 35 feet maximum

Accessory buildings: 35 feet maximum

Agricultural buildings: No height requirement

#### Residences:

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

**Rear yard:** 50 feet minimum

Uncovered decks/porches: 38 feet minimum

#### Rear and side yards:

**Not housing livestock:** 10-feet

#### Housing livestock:

100 feet from Residential or Hamlet zoning districts

50 feet from Rural Residential zoning districts

10 feet from all other zoning districts

### Lot Width & Area 10.243(4)

**Minimum:** 4 acres

**Minimum lot width:** 100 feet

**Maximum:** less than 8 acres, excluding right-of-way

### Maximum Lot Coverage 10.243(7)

**Maximum building coverage of lot:** 10% of lot area

### Accessory Buildings Requirements 10.102(2)(a)

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- A principal residential use (home) exists or is under construction before a Zoning Permit for an accessory building may be issued.
- Sanitary fixtures are prohibited in accessory buildings.
- No living spaces are allowed in accessory buildings.

**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.

### Livestock 10.004(85); 10.103(18)

- The number of livestock kept is limited to one (1) animal unit for each full acre.
- An animal unit is defined as the equivalent of 1 cow; 4 hogs; 10 sheep or goats; 100 poultry or rabbits; 1 horse, pony, or mule; or an equivalent combination thereof.

## RR-4 Rural Residential District

Zoning district for single family homes with agricultural uses – CH. 10-Zoning, Section 10.241

### **Incidental Room Rental 10.004(72)**

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's primary residence
- ✓ No more than two bedrooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

### **Limited Family Business 10.004(83)**

A small family-run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.



## RR-8 Rural Residential Zoning District

Zoning district for single family homes with agricultural uses – CH. 10-Zoning, [Section 10.244](#)

### **Permitted Uses 10.244(2)**

- Single family home – one per parcel
  - Small-scale farming
  - Residential accessory uses
  - Home occupations
  - Incidental room rental
- Community living Arrangements for less nine (9) persons
  - Foster homes for less than five children
  - Undeveloped natural resource and open space areas
- Utility services associated with a permitted use
  - Transportation, utility, communication, or other use required by law

### **Conditional Uses 10.244(3)**

- Attached accessory dwelling units
  - Animal use exceeding one animal unit per acre
  - Cemeteries
  - Limited family business
  - Day Care Centers
  - Community living arrangements for nine (9) or more people
- Governmental, institutional, religious, or nonprofit community uses
  - Property management sheds
  - Transient or Tourist Lodging
  - Transportation, communication, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above

### **Setbacks and Height Requirements for Structures 10.244(5),(6)**

#### **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 ordinance: 20 feet minimum  
 All other streets: 30 feet minimum from right-of-way

#### **Maximum Height:**

Residences: 2½ stories or 35 feet maximum  
 Accessory buildings: 35 feet maximum  
 Agricultural buildings: No height requirement

#### **Residences:**

**Side yard:** 25 feet total, with no single side less than 10 feet minimum  
**Rear yard:** 50 feet minimum  
 Uncovered decks/porches: 38 feet minimum

#### **Rear and side yards:**

**Not housing livestock:** 10-feet

#### **Housing livestock:**

50 feet from Residential, Rural Residential, or Hamlet zoning districts  
 10 feet from all other zoning districts

### **Lot Width & Area 10.244(4)**

**Minimum:** 8 acres

**Maximum:** less than 16 acres, excluding right-of-way

**Minimum lot width:** 100 feet

### **Maximum Lot Coverage 10.244(7)**

**Maximum building coverage of lot:** 10% of lot area

### **Accessory Buildings Requirements 10.102(2)(a)**

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- Except for property management sheds approved under a conditional use permit, a principal residential use (home) must exist or be under construction before a Zoning Permit for an accessory building may be issued.
- Sanitary fixtures are prohibited in accessory buildings.
- No living spaces are allowed in accessory buildings.

**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.

## **RR-8 Rural Residential District**

Zoning district for single family homes with agricultural uses – CH. 10-Zoning, Section 10.244

### **Livestock 10.004(86); 10.103(18)**

- The number of livestock kept is limited to one (1) animal unit for each full acre.
- An animal unit is defined as the equivalent of 1 cow; 4 hogs; 10 sheep or goats; 100 poultry or rabbits; 1 horse, pony, or mule; or an equivalent combination thereof..

### **Incidental Room Rental 10.004(72)**

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's primary residence
- ✓ No more than two bedrooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

### **Limited Family Business 10.004(83)**

A small family-run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.

## RR-16 Rural Residential Zoning District

Zoning district for single family homes with agricultural uses – CH. 10-Zoning, Section [10.245](#)

### Permitted Uses 10.245(2)

- Single family home – one per parcel
- Small-scale farming
- Residential accessory buildings
- Home occupations
- Incidental room rental
- Community living arrangements for less nine (9) persons
- Foster homes for less than five children
- Undeveloped natural resource and open space areas
- Utility services associated with a permitted use
- Transportation, utility, communication, or other use required by law

### Conditional Uses 10.245(3)

- Attached accessory dwelling units
- Animal use exceeding one animal unit per acre
- Limited family business
- Day Care Centers
- Cemeteries
- Community living arrangements for nine (9) or more people
- Governmental, institutional, religious, or nonprofit community uses
- Property maintenance sheds
- Transient or Tourist Lodging
- Transportation, communication, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above

### Setbacks and Height Requirements for Structures 10.245(5),(6)

#### 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 ordinance: 20 feet minimum

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

#### Maximum Height:

Residences: 2½ stories or 35 feet maximum

Accessory buildings: 35 feet maximum

Agricultural buildings: No height limit

#### Residences:

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

**Rear yard:** 50 feet minimum

Uncovered decks/porches: 38 feet minimum

#### Rear and side yards for accessory buildings:

**Not housing livestock:** 10-feet

#### Housing livestock:

50 feet from Residential, Rural Residential, or Hamlet zoning districts

10 feet from all other zoning districts

### Lot Width & Area 10.245(4)

**Minimum:** 16 acres

**Maximum:** less than 35 acres, excluding right-of-way

**Minimum lot width:** 100 feet

### Maximum Lot Coverage 10.245(7)

**Maximum building coverage of lot:** 10% of lot area

### Accessory Buildings Requirements 10.102(2)(a)

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- Except for property maintenance sheds approved under a conditional use permit, a principal residential use (home) must exist or be under construction before a Zoning Permit for an accessory building may be issued.
- Sanitary fixtures are prohibited in accessory buildings.
- No living spaces are allowed in accessory buildings.

**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.

## RR-16 Rural Residential District

Zoning district for single family homes with agricultural uses – CH. 10-Zoning, Section 10.245

### **Livestock 10.004(86); 10.103(18)**

- o The number of livestock kept is limited to one (1) animal unit for each full acre.
- o An animal unit is defined as the equivalent of 1 cow; 4 hogs; 10 sheep or goats; 100 poultry or rabbits; 1 horse, pony, or mule; or an equivalent combination thereof.

### **Incidental Room Rental 10.004(72)**

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's primary residence
- ✓ No more than two bedrooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

### **Limited Family Business 10.004(83)**

A small family-run commercial operation, accessory to a permitted principle use, which takes place entirely within an accessory building. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.

# SFR-1 Single-Family Residential (small lots) Zoning District

Zoning primarily for compact residential neighborhoods and incidental uses. [Section 10.252](#)

## Permitted Uses 10.252(2)

- o Single family homes – one per parcel
- o Residential accessory structures
- o Keeping of bees and domestic fowl
- o Incidental room rental
- o Undeveloped open space
- o Home occupations
- o Community living arrangements for less than 9 people
- o Foster homes for less than five children
- o Agricultural uses (except livestock) existing as of 12/31/2015.
- o Undeveloped natural resource and open space areas
- o Utility services associated with a permitted use
- o Transportation, utility, communication or other use required by law

## Conditional Uses: 10.252(3)

- o Attached accessory dwelling units
- o Day care centers
- o Community living arrangements for 9 or more people
- o Governmental uses
- o Institutional uses
- o Religious uses
- o Nonprofit community uses
- o Cemeteries
- o Transient or tourist lodging
- o Transportation, utility, communications, pipeline, electric transmission, utility, or drainage uses

## Setbacks and Height Requirements for Principal Structures 10.252(5)-(6); 10.102(9)

### Front setbacks 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 ordinance: 20 feet minimum  
 All other streets: 30 feet minimum from right-of-way

**Side yard:** 10 feet minimum each side

**Rear yard:** 50 feet minimum

Uncovered decks/porches: 38 feet minimum

### Accessory structures in rear yard:

**Side and rear minimum setbacks:**

**Lots 60 feet or wider:** 4 feet

**Lots less than 60 feet wide:** 2.5 feet

### Maximum Height:

Two and one-half stories or 35 feet (mean of roof)  
 Accessory structures: 16 feet

## Lot Width & Area: 10.252(4)

**Minimum:** 1 acre

**Maximum:** None

**Minimum width:** 100 feet

## Maximum Lot Coverage: 10.252(7)

**Non-corner lot:** 35% maximum

**Corner lot:** 40% maximum

Accessory buildings cannot exceed 100% of the area of the footprint of the principal residence.

## Livestock

Not Permitted (e.g. horses, pigs, cows, llamas)

## Incidental Room Rental 10.004(73)

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's primary residence
- ✓ No more than two bedrooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

# SFR-1 Single-Family Residential (small lots) Zoning District

Zoning primarily for compact residential neighborhoods and incidental uses. [Section 10.252](#)

## Accessory Buildings Requirements 10.004(2); 10.102(2)(a)

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- A principal residential use (home) exists or is under construction before a zoning permit for an accessory building may be issued.
- Accessory buildings shall not exceed 16 feet average height (mean of roof) unless permitted under an approved conditional use permit.
- Sanitary fixtures are prohibited in accessory buildings.
- No living spaces are allowed in accessory buildings.
- Reduced setbacks may be used for accessory buildings. The building 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 60 feet or more in width
  - Minimum 2.5-foot side yard and rear yard setbacks on lots less than 60 feet in width

**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, provided they meet setback, height, and lot coverage requirements.

## **Beekeeping:** 10.103(10) These standards are designed to ensure that the keeping of insects in residential districts is done in a responsible manner that protects the public health, safety, and welfare and avoids conflicts with neighboring uses.

The keeping of honeybees in the yards of single family residences or duplexes shall be a permitted use if the use complies with the following:

- ✓ Each residential lot shall be allowed to have 6 hives per lot. For residential lots over 10,000 square feet, no more than one hive per 1,600 square feet of lot area is permitted.
- ✓ A supply of water shall be provided for all hives.
- ✓ A flyway barrier at least 6 feet in height shall shield any part of a property line that is within 25 feet of a hive. The flyway barrier shall consist of a wall, fence, dense vegetation or a combination thereof and it shall be positioned to transect both legs of a triangle extending from an apex at the hive to each end point of the part of the property line to be shielded.

## **Domestic Fowl:** 10.103(10) These standards are designed to ensure that the keeping of fowl in residential districts is done in a responsible manner that protects the public health, safety, and welfare and avoids conflicts with neighboring uses.

### Standards for Domestic Fowl Covered Enclosure Permit

<b>Permit required</b>	Yes
<b>Zoning district</b>	All
<b>Residence required</b>	Yes
<b>Location</b>	Within Rear and/or Side Yards
<b>Maximum size</b>	120 square feet*
<b>Maximum height</b>	12 feet
<b>Setback to any adjoining lot's residential structure</b>	25 feet
<b>Setback to water of any lake, river, or stream</b>	75 feet
<b>Permit fee</b>	\$15.00

**Domestic fowl** include female chickens, ducks, and quail. Geese, turkeys, and pea fowl are not considered domestic fowl.

**No roosters.**

The keeping of up to **8 domestic fowl** in the yards of single family residences or duplexes located in any zoning district shall be a permitted use if such use complies with the following:

- ✓ No slaughtering of domestic fowl shall occur on a residential property.
- ✓ Fowl must have access to a covered enclosure.
- ✓ Fowl may not roam in an unfenced area.
- ✓ Fowl must be kept within a covered and fenced enclosure or fenced enclosure at all time.
- ✓ Such enclosures mentioned must be clean, dry, and odor-free.
- ✓ Fowl, and their enclosures, are to be kept in a manner that will not disturb the use or enjoyment of adjacent properties.

Dane County Zoning permits are required prior to placing covered residential chicken enclosures on properties. The table below provides the requirements for such structures:

\*Larger enclosures may be permitted, but will be considered residential accessory buildings and permitted as such.

## **SFR-2 Single-Family Residential (small lots) Zoning District**

Zoning primarily for compact residential neighborhoods and incidental uses. [Section 10.253](#)

### **Permitted Uses 10.253(2)**

- Single family homes – one per parcel
- Residential accessory structures
- Keeping of bees and domestic fowl
- Incidental room rental
- Undeveloped open space
- Home occupations
- Community living arrangements for less than 9 people
- Foster homes for less than five children
- Agricultural uses (except livestock) existing as of 12/31/2015.
- Undeveloped natural resource and open space areas
- Utility services associated with a permitted use
- Transportation, utility, communication or other use required by law

### **Conditional Uses: 10.253(3)**

- Attached accessory dwelling units
- Day care centers
- Community living arrangements for 9 or more people
- Governmental uses
- Institutional uses
- Religious uses
- Nonprofit community uses
- Transient or tourist lodging
- Cemeteries
- Transportation, utility, communications, pipeline, electric transmission, utility, or drainage uses

### **Setbacks and Height Requirements for Principal Structures 10.253(5)-(6); 10.102(9)**

#### **Front setbacks 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 ordinance: 20 feet minimum

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

**Side yard:** 10 feet minimum each side

**Rear yard:** 50 feet minimum

uncovered decks/porches: 38 feet minimum

**Accessory structures in rear yard:**

**Side and rear minimum setbacks:**

**Lots 60 feet or wider:** 4 feet

**Lots less than 60 feet wide:** 2.5 feet

#### **Maximum Height:**

Two and one-half stories or 35 feet (mean of roof)

Accessory structures: 16 feet

### **Lot Width & Area: 10.253(4)**

**Minimum:** 2 acre

**Maximum:** None

**Minimum width:** 100 feet

### **Maximum Lot Coverage: 10.253(7)**

**Non-corner lot:** 35% maximum

**Corner lot:** 40% maximum

Accessory buildings cannot exceed 100% of the area of the footprint of the principal residence.

### **Livestock**

Not Permitted (e.g. horses, pigs, cows, llamas)

### **Incidental Room Rental 10.004(73)**

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's primary residence
- ✓ No more than two bedrooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

# SFR-2 Single-Family Residential (small lots) Zoning District

Zoning primarily for compact residential neighborhoods and incidental uses. [Section 10.253](#)

## Accessory Buildings Requirements 10.004(2); 10.102(2)(a)

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- A principal residential use (home) exists or is under construction before a zoning permit for an accessory building may be issued.
- Accessory buildings shall not exceed 16 feet average height (mean of roof) unless permitted under an approved conditional use permit.
- Sanitary fixtures are prohibited in accessory buildings.
- No living spaces are allowed in accessory buildings.
- Reduced setbacks may be used for accessory buildings. The building 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 60 feet or more in width
  - Minimum 2.5-foot side yard and rear yard setbacks on lots less than 60 feet in width

**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, provided they meet setback, height, and lot coverage requirements.

## **Beekeeping:** 10.103(10) These standards are designed to ensure that the keeping of insects in residential districts is done in a responsible manner that protects the public health, safety, and welfare and avoids conflicts with neighboring uses.

The keeping of honeybees in the yards of single family residences or duplexes shall be a permitted use if the use complies with the following:

- ✓ Each residential lot shall be allowed to have 6 hives per lot. For residential lots over 10,000 square feet, no more than one hive per 1,600 square feet of lot area is permitted.
- ✓ A supply of water shall be provided for all hives.
- ✓ A flyway barrier at least 6 feet in height shall shield any part of a property line that is within 25 feet of a hive. The flyway barrier shall consist of a wall, fence, dense vegetation or a combination thereof and it shall be positioned to transect both legs of a triangle extending from an apex at the hive to each end point of the part of the property line to be shielded.

## **Domestic Fowl:** 10.103(10) These standards are designed to ensure that the keeping of fowl in residential districts is done in a responsible manner that protects the public health, safety, and welfare and avoids conflicts with neighboring uses.

### Standards for Domestic Fowl Covered Enclosure Permit

<b>Permit required</b>	Yes
<b>Zoning district</b>	All
<b>Residence required</b>	Yes
<b>Location</b>	Within Rear and/or Side Yards
<b>Maximum size</b>	120 square feet*
<b>Maximum height</b>	12 feet
<b>Setback to any adjoining lot's residential structure</b>	25 feet
<b>Setback to water of any lake, river, or stream</b>	75 feet
<b>Permit fee</b>	\$15.00

**Domestic fowl** include female chickens, ducks, and quail. Geese, turkeys, and pea fowl are not considered domestic fowl.

**No roosters.**

The keeping of up to **8 domestic fowl** in the yards of single family residences or duplexes located in any zoning district shall be a permitted use if such use complies with the following:

- ✓ No slaughtering of domestic fowl shall occur on a residential property.
- ✓ Fowl must have access to a covered enclosure.
- ✓ Fowl may not roam in an unfenced area.
- ✓ Fowl must be kept within a covered and fenced enclosure or fenced enclosure at all time.
- ✓ Such enclosures mentioned must be clean, dry, and odor-free.
- ✓ Fowl, and their enclosures, are to be kept in a manner that will not disturb the use or enjoyment of adjacent properties.

Dane County Zoning permits are required prior to placing covered residential chicken enclosures on properties. The table below provides the requirements for such structures:

\*Larger enclosures may be permitted, but will be considered residential accessory buildings and permitted as such.



# SFR-08 Single-Family Residential (small lots) Zoning District

Zoning primarily for compact residential neighborhoods and incidental uses. [Section 10.251](#)

## Permitted Uses 10.251(2)

- o Single family homes – one per parcel
- o Residential accessory structures
- o Keeping of bees and domestic fowl
- o Incidental room rental
- o Undeveloped open space
- o Home occupations
- o Community living arrangements for less than 9 people
- o Foster homes for less than five children
- o Existing agricultural uses (except livestock)
- o Undeveloped natural resource and open space areas
- o Utility services associated with a permitted use
- o Transportation, utility, communication or other use required by law

## Conditional Uses: 10.251(3)

- o Accessory buildings > 12 ft ≤ 16 ft in height
- o Attached accessory dwelling units
- o Day care centers
- o Community living arrangements for 9 or more people
- o Governmental uses
- o Institutional uses
- o Religious uses
- o Cemeteries
- o Nonprofit community uses
- o Transient or tourist lodging
- o Transportation, utility, communications, pipeline, electric transmission, utility, or drainage uses

## Setbacks and Height Requirements for Principal Structures 10.251(5)-(6); 10.102(9)

### Front setbacks 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 ordinance: 20 feet minimum  
 All other streets: 30 feet minimum from right-of-way

### Side yard:

**Lots 60 feet or wider:** 10 feet minimum each side  
**Lots 50 – 60 feet wide:** 15 feet total, 5 feet minimum any one side  
**Lots less than 50 feet wide:** 5 feet minimum

### Rear yard: 25 feet minimum

Uncovered decks/porches: 13 feet minimum

### Maximum Height:

Two and one-half stories or 35 feet (mean of roof)  
 Accessory structures: 12 feet

### Accessory structures in rear yard:

**Side and rear minimum setbacks:**  
**Lots 60 feet or wider:** 4 feet  
**Lots less than 60 feet wide:** 2.5 feet

## Lot Width & Area: 10.251(4)

**Public Sewer:** Minimum 60 feet at building line and 8,000 sq.ft.

**Septic System:** Minimum 100 feet at building line and 20,000 sq.ft.

## Maximum Lot Coverage: 10.251(7) All buildings and structures

**Non-corner lot:** 35% maximum

**Corner lot:** 40% maximum

Accessory buildings cannot exceed 100% of the area of the footprint of the principal residence.

## Livestock

Not Permitted (e.g. horses, pigs, cows, llamas)

## Incidental Room Rental 10.004(73)

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's primary residence
- ✓ No more than two bedrooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

# SFR-08 Single-Family Residential (small lots) Zoning District

Zoning primarily for compact residential neighborhoods and incidental uses. [Section 10.251](#)

## Accessory Buildings Requirements 10.004(2); 10.102(2)(a)

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- A principal residential use (home) exists or is under construction before a zoning permit for an accessory building may be issued.
- Accessory buildings shall not exceed 12 feet average height (mean of roof) unless permitted under an approved conditional use permit.
- Sanitary fixtures are prohibited in accessory buildings.
- No living spaces are allowed in accessory buildings.
- Reduced setbacks may be used for accessory buildings. The building 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 60 feet or more in width
  - Minimum 2.5-foot side yard and rear yard setbacks on lots less than 60 feet in width

**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, provided they meet setback, height, and lot coverage requirements.

## Beekeeping: 10.103(10) These standards are designed to ensure that the keeping of insects in residential districts is done in a responsible manner that protects the public health, safety, and welfare and avoids conflicts with neighboring uses.

The keeping of honeybees in the yards of single family residences or duplexes shall be a permitted use if the use complies with the following:

- ✓ Each residential lot shall be allowed to have 6 hives per lot. For residential lots over 10,000 square feet, no more than one hive per 1,600 square feet of lot area is permitted.
- ✓ A supply of water shall be provided for all hives.
- ✓ A flyway barrier at least 6 feet in height shall shield any part of a property line that is within 25 feet of a hive. The flyway barrier shall consist of a wall, fence, dense vegetation or a combination thereof and it shall be positioned to transect both legs of a triangle extending from an apex at the hive to each end point of the part of the property line to be shielded.

## Domestic Fowl: 10.103(10) These standards are designed to ensure that the keeping of fowl in residential districts is done in a responsible manner that protects the public health, safety, and welfare and avoids conflicts with neighboring uses.

### Standards for Domestic Fowl Covered Enclosure Permit

<b>Permit required</b>	Yes
<b>Zoning district</b>	All
<b>Residence required</b>	Yes
<b>Location</b>	Within Rear and/or Side Yards
<b>Maximum size</b>	120 square feet*
<b>Maximum height</b>	12 feet
<b>Setback to any adjoining lot's residential structure</b>	25 feet
<b>Setback to water of any lake, river, or stream</b>	75 feet
<b>Permit fee</b>	\$15.00

**Domestic fowl** include female chickens, ducks, and quail. Geese, turkeys, and pea fowl are not considered domestic fowl.

**No roosters.**

The keeping of up to **8 domestic fowl** in the yards of single family residences or duplexes located in any zoning district shall be a permitted use if such use complies with the following:

- ✓ No slaughtering of domestic fowl shall occur on a residential property.
- ✓ Fowl must have access to a covered enclosure.
- ✓ Fowl may not roam in an unfenced area.
- ✓ Fowl must be kept within a covered and fenced enclosure or fenced enclosure at all time.
- ✓ Such enclosures mentioned must be clean, dry, and odor-free.
- ✓ Fowl, and their enclosures, are to be kept in a manner that will not disturb the use or enjoyment of adjacent properties.

Dane County Zoning permits are required prior to placing covered residential chicken enclosures on properties. The table below provides the requirements for such structures:

\*Larger enclosures may be permitted, but will be considered residential accessory buildings and permitted as such.

## TFR-08 Two-Family Residential Zoning District

Zoning primarily for single family and duplex neighborhoods and incidental uses. [Section 10.254.](#)

### **Permitted Uses 10.254(2)**

- Single family homes – one per parcel
- Duplexes – one per parcel
- Attached accessory dwelling units
- Residential accessory structures
- Keeping of bees and domestic fowl
- Incidental room rental
- Undeveloped natural resource and open space areas
- Utility services associated with a permitted use
- Home occupations
- Community living arrangements for less than 9 people
- Foster homes for less than five children
- Transportation, utility, communication or other use required by state or federal law

### **Conditional Uses: 10.254(3)**

- Accessory buildings > 12 ft ≤ 16 ft in height)
- Detached accessory dwelling units
- Day care centers
- Community living arrangements for 9 or more people
- Governmental uses
- Institutional uses
- Religious uses
- Nonprofit community uses
- Cemeteries
- Transient or tourist lodging
- Transportation, utility, communications, pipeline, electric transmission, utility, or drainage uses

### **Setbacks and Height Requirements for Principal Structures 10.254(5)-(6); 10.102(9)**

#### **Front setbacks 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 ordinance: 20 feet minimum

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

**Side yard:** 10 feet minimum each side

**Rear yard:** 25 feet minimum

Uncovered decks/porches: 13 feet minimum

#### **Accessory structures in rear yard:**

#### **Side and rear minimum setbacks:**

**Lots 60 feet or wider:** 4 feet

**Lots less than 60 feet wide:** 2.5 feet

#### **Maximum Height:**

Two and one-half stories or 35 feet (mean of roof)

Accessory structures: 12 feet

### **Lot Width & Area: 10.254(4)**

**Public Sewer:** Minimum 60 feet at building line and 8,000 sq.ft.

**Septic System:** Minimum 100 feet at building line and 20,000 sq.ft.

### **Maximum Lot Coverage: 10.254(7) All buildings and structures**

**Non-corner lot:** 35% maximum

**Corner lot:** 40% maximum

Accessory buildings cannot exceed 100% of the area of the footprint of the principal residence

### **Incidental Room Rental 10.004(73)**

Rental or leasing of rooms within a single-family residence is permitted provided all of the following are met:

- ✓ All rooms offered for rent are within the landowner's primary residence
- ✓ No more than two bedrooms are offered for rent
- ✓ One off-street parking space is provided for each rental room.

## TFR-08 Two-Family Residential Zoning District

Zoning primarily for single family and duplex neighborhoods and incidental uses. [Section 10.254.](#)

### **Accessory Buildings Requirements 10.004(2); 10.102(2)(a)**

Any number of detached accessory buildings associated with a permitted or conditional residential use is permitted, provided that the following conditions are met:

- A principal residential use (home) exists or is under construction before a zoning permit for an accessory building may be issued.
- Accessory buildings shall not exceed 12 feet average height (mean of roof) unless permitted under an approved conditional use permit.
- Sanitary fixtures are prohibited in accessory buildings.
- No living spaces are allowed in accessory buildings.
- Reduced setbacks may be used for accessory buildings. The building 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 60 feet or more in width
  - Minimum 2.5-foot side yard and rear yard setbacks on lots less than 60 feet in width

**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, provided they meet setback, height, and lot coverage requirements.

### **Livestock**

Not Permitted (e.g. horses, pigs, cows, llamas)

**Beekeeping:** 10.103(10) These standards are designed to ensure that the keeping of insects in residential districts is done in a responsible manner that protects the public health, safety, and welfare and avoids conflicts with neighboring uses.

The keeping of honeybees in the yards of single family residences or duplexes shall be a permitted use if the use complies with the following:

- ✓ Each residential lot shall be allowed to have 6 hives per lot. For residential lots over 10,000 square feet, no more than one hive per 1,600 square feet of lot area is permitted.
- ✓ A supply of water shall be provided for all hives.
- ✓ A flyway barrier at least 6 feet in height shall shield any part of a property line that is within 25 feet of a hive. The flyway barrier shall consist of a wall, fence, dense vegetation or a combination thereof and it shall be positioned to transect both legs of a triangle extending from an apex at the hive to each end point of the part of the property line to be shielded.

**Domestic Fowl:** 10.103(10) These standards are designed to ensure that the keeping of fowl in residential districts is done in a responsible

#### **Standards for Domestic Fowl Covered Enclosure Permit**

<b>Permit required</b>	Yes
<b>Zoning district</b>	All
<b>Residence required</b>	Yes
<b>Location</b>	Within Rear and/or Side Yards
<b>Maximum size</b>	120 square feet*
<b>Maximum height</b>	12 feet
<b>Setback to any adjoining lot's residential structure</b>	25 feet
<b>Setback to water of any lake, river, or stream</b>	75 feet
<b>Permit fee</b>	\$15.00

manner that protects the public health, safety, and welfare and avoids conflicts with neighboring uses.

**Domestic fowl** include female chickens, ducks, and quail. Geese, turkeys, and pea fowl are not considered domestic fowl.

The keeping of up to **8 domestic fowl** in the yards of single family residences or duplexes located in any zoning district shall be a permitted use if such use complies with the following:

- ✓ No slaughtering of domestic fowl shall occur on a residential property.
- ✓ Fowl must have access to a covered enclosure.
- ✓ Fowl may not roam in an unfenced area.
- ✓ Fowl must be kept within a covered and fenced enclosure or fenced enclosure at all time.
- ✓ Such enclosures mentioned must be clean, dry, and odor-free.
- ✓ Fowl, and their enclosures, are to be kept in a manner that will not disturb the use or enjoyment of adjacent properties.

Dane County Zoning permits are required prior to placing covered residential chicken enclosures on properties. The table below provides the requirements for such structures:

\*Larger enclosures may be permitted, but will be considered residential accessory buildings and permitted as such.

## **UTR Utility, Transportation and Right-of-Way Zoning District**

Zoning district for utility corridors, public or private rights of way, driveways and small parcel remnants  
CH. 10-Zoning, [Section 10.292](#)

### **Permitted Uses 10.292(2)**

- Undeveloped natural resource use
- Accessory uses and structures associated with a permitted use
- Community gardens
- Invasive species control activities
- Small-scale farming
- Public or private roadways
- Bicycle or hiking trails
- Private driveways or onsite parking
- Railroad, utility or access easements or rights-of-way
- Stormwater facilities
- Utility services
- A transportation, utility, communication, or other use required by law

### **Conditional Uses: (each requires a Conditional Use Permit) 10.292(3)**

- Transportation, utility, communication or other similar uses, not required by law
- Storage structures, not to exceed 250 square feet
- Runways or take-off and landing areas associated with airports, landing strips or heliports

### **Requirements for Location and Size of Structures 10.292(4) & (6)**

#### **Front: Feet from Highway centerline / right-of-way line**

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 ordinance: 20 feet minimum

All other streets: 30 feet minimum

#### **Side and Rear yard:**

Minimum 4 feet.

#### **Height:**

Maximum 12 feet, except for utility structures or towers.

### **Area, Frontage, and Density 10.292(7)**

No minimum requirements for permitted uses