

## A-1EX Exclusive Agricultural District

Primary zoning district for farmland preservation -- CH. 10-Zoning, Section 10.123

### Permitted Uses 10.123(2)

- Agricultural uses including: crop or forage production, keeping livestock, beekeeping, nursery, sod, or tree production, floriculture, aquaculture, fur farming, forest management, or enrollment in federal or state commodity or conservation payment program
- Agricultural accessory uses including: buildings, structures, improvements, activities or business operations of an integral part of, or incidental to, an agricultural use
- Rental of existing secondary residences
- Ag. entertainment activities up to 45 days per year
- Farm exhibitions, sales or events up to 5 days per year
- Undeveloped natural resource and open space areas
- Transportation, utility, communication or other uses required by law

### Conditional Uses 10.123(3-4)

- Farm Residences
- Limited family businesses within existing building
- Limited rural businesses operated by an owner or operator of the farm
- Sale of agricultural and dairy products not produced on the premises
- Seasonal storage of recreational equipment and motor vehicles in existing buildings
- Farm related exhibitions, sales or events exceeding 5 days a year
- Agricultural entertainment activities: exceeding 45 days a year or in excess of 200 persons
- Horse boarding stables, riding stables, hay and sleigh rides, and horse training facilities
- Sale of bridles, saddles, and grooming supplies
- Governmental, institutional, religious, or nonprofit community uses
- Transportation, communication, pipeline, electric transmission, utility, or drainage uses not required by law
- Non-metallic mineral extraction
- Limited asphalt or concrete plants
- Small scale electric generating stations

### Setbacks and Height requirements for Structures 10.04(6-7); 10.123; 10.16; 10.17

#### 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

Accessory buildings on lots less than 2 acres: 12 feet

Agricultural buildings: No height requirement

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

**Rear yard for residences:** 50 feet minimum

**For uncovered decks/porches:** 38 feet minimum

**Setbacks for accessory buildings not housing livestock or insects:** Minimum 10-foot side and rear yards

**Setbacks for agricultural buildings with livestock or insects:** On parcels **35 acres or less:**

Minimum 50-foot side & rear yards

On parcels **more than 35 acres:**

Minimum 10-foot side & rear yards

Note: 100-foot minimum side and rear yard requirement when adjacent to R- district parcels

### Minimum Lot Width & Area 10.123(5), (9); 10.05(4)

**Agricultural Uses:** Minimum 35 acres

**Sub-standard Residential lots:**

**Public Sewer:** 100 feet at building line and 15,000 sq.ft.

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

### Maximum Lot Coverage all buildings and structures

**On parcels greater than 2 acres:** 10%

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

## **A-1EX Exclusive Agricultural District**

Primary zoning district for farmland preservation -- CH. 10-Zoning, Section 10.123

### **Accessory Buildings Requirements 10.04(1)(b); 10.123(2); 10.16(6); 12.06(1)(k)**

- On parcels less than 5 acres, only residential accessory buildings are permitted.
- 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 prohibited in accessory buildings, except as permitted for farm accessory buildings on farms over 35 acres.
- No living spaces are allowed in accessory buildings.
- Reduced setbacks may be used for residential accessory buildings on lots. The buildings must be located in the rear yard and must be at least 10 feet away from the principal building.
- Minimum 4-foot side yard and rear yard setbacks on lots 60 feet or more in width
- Minimum 2.5-foot side yard and rear yard setbacks on lots less than 60 feet in width
- Zoning Permit fees are exempt for farm buildings on farms of 35 acres or larger.

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

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

### **Livestock 10.123(2)(a)**

- Livestock is not permitted on parcels less than 5 acres.
- On parcels greater than 5 acres there is no limit to the number of animal units permitted.

### **Existing Residences in A-1EX Exclusive Agriculture District 10.123(2)(b)**

- Any residence lawfully existing as of February 20, 2010 shall be considered a permitted use. Notwithstanding the provisions of Sections 10.21 and 10.23 regarding nonconforming uses, such structures may be added to, altered, restored, repaired, replaced or reconstructed, without limitation, provided **all** of the following criteria are met:
  - The use remains residential.
  - The structure complies with all building height, setback, side yard and rear yard standards of this ordinance.
  - 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.

### **Limited Businesses 10.01(30); 10.01(23)**

A **limited family business** is a small family run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except one or one full-time equivalent, must be a member of the family residing on the premises. Limited Family Businesses must comply with all requirements of s. 10.192.

A **limited rural business** may include any use permitted in the A-B, B-1, C-1 or C-2 zoning districts if it is located exclusively in building(s) in existence prior to April 30, 2005, maintains, restores or enhances the existing exterior character of the building(s), employs no more than 4 non-family employees, and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland.. For this purpose "family" means any number of individuals related by blood or marriage, or not to exceed five (5) persons not so related, living together on the premises as a single housekeeping unit, including any domestic servants.

## A-1 Agricultural District

General zoning district for towns not participating in the Agricultural Preservation Program  
CH. 10-Zoning, Section 10.12

### Permitted Uses 10.12(2)

- Agricultural uses (on parcels of minimum 5 acres and 250 feet lot width)
- Sale of unprocessed agricultural products produced on the farm
- Agricultural entertainment activities up to 45 days per year
- Single family residences – one per parcel
- Home occupations
- Day care for not more than 8 children
- Seasonal storage of recreational equipment and motor vehicles
- Utility services

### Conditional Uses 10.12(3)

- Agricultural entertainment activities more than 45 days/yr.
- Sale of agricultural and dairy products not produced on the premises
- Horse boarding stables, riding stables, hay and sleigh rides, horse shows and similar events
- Training of horses at a horse boarding facility
- Retail sales of bridles, saddles, grooming supplies at a horse boarding or riding stable facility
- Kennels
- Training of dogs at a dog kennel
- Retail sales of pet food, pet supplies at a kennel
- Veterinary clinics and hospitals
- Native wildlife rehabilitation facilities
- Airports, landing strips
- Limited family businesses
- Dependency living arrangements
- Schools
- Private club houses
- Fraternities and associations
- Religious uses
- Mineral extraction operations
- Asphalt plants
- Ready mix concrete plants
- Salvage recycling centers
- Solid waste disposal operations
- Dumping grounds & sanitary landfills
- Incinerator sites
- Demolition material disposal sites
- Communication towers
- Governmental uses
- Cemeteries

### Setbacks and Height Requirements for Structures 10.12; 10.16; 10.17

**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 requirements

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

**Rear yard for residences:** 50 feet minimum

**For uncovered decks/porches:** 38 feet minimum

**Setbacks for accessory buildings not housing livestock:** Minimum 10-foot side and rear yards

#### **Setbacks for agricultural buildings with livestock:**

On parcels 35 acres or less: Minimum 50-foot side & rear yards

On parcels more than 35 acres: Minimum 10-foot side & rear yards

Note: 100-foot side and rear yard requirement when adjacent to R- district parcels

### Reduced Side Yard Setbacks for principal buildings on Substandard Lots 10.16(5)

**Lots between 50 and 60 feet wide:** Total of 15 feet, not less than 5 feet minimum on smaller side

**Lots less than 50 feet wide:** 5 feet minimum on each side

Note: See ordinance for corner lot exceptions.

## **A-1 Agricultural District**

General zoning district for towns not participating in the Agricultural Preservation Program  
CH. 10-Zoning, Section 10.12

### **Minimum Lot Width & Area 10.12(5)**

**Agricultural Uses:** 5 acres and 250 feet width at location of agricultural accessory building

**Residential Uses:**

**Public Sewer:** 100 feet at building line and 15,000 sq.ft.

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

### **Maximum Lot Coverage all buildings and structures**

**On parcels between 2 and 35 acres:** 10%

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

### **Accessory Building Requirements 10.04(1); 10.12(4); 10.16(6); 12.06(1)**

- On parcels less than 5 acres, only residential accessory buildings are permitted.
- One agricultural accessory building may be constructed on property without a principal residence.
- Sanitary fixtures are prohibited in accessory buildings, except as permitted through a conditional use permit for specific agricultural accessory buildings.
- No living spaces are allowed in accessory buildings.
- Reduced setbacks may be used for residential accessory buildings on lots. The buildings must be located in the rear yard and must be at least 10 feet away from the principal building.
  - Minimum 4-foot side yard and rear yard setbacks on lots 60 feet or more in width
  - Minimum 2.5-foot side yard and rear yard setbacks on lots less than 60 feet in width
- Zoning Permit fees are exempt for farm buildings on farms of 35 acres or larger.

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

### **Livestock 10.12(2), (5)**

- Livestock is not permitted on parcels less than 5 acres.
- Parcels are required to be a minimum a lot width of 250 feet at the location of the building housing livestock.
- Livestock is unlimited on parcels greater than 5 acres.

## A-2 Agricultural District

Zoning district for agricultural and other rural uses – CH. 10-Zoning, Section 10.126

### Permitted Uses 10.126(2)

- Agricultural uses
- Accessory buildings
- Single family home – one per parcel
- Home occupations
- Utility services

### Conditional Uses 10.126(3)

- Unlimited livestock on 3 to 16 acres
- Sale of agricultural and dairy products not produced on the premises
- Kennels
- Training of dogs at a dog kennel
- Retail sales of pet food, pet supplies and related items at a kennel
- Horse boarding and riding stables
- Horse shows / events
- Training of horses at a horse boarding facility
- Hay and sleigh rides
- Retail sales of bridles, saddles, grooming supplies and related items at a horse boarding or riding stable
- Native wildlife rehabilitation facilities
- Seasonal storage of recreational equipment and motor vehicles (not owner's or occupant's)
- Dependency living arrangements
- Limited family businesses
- Airports & landing strips
- Communications towers
- Religious uses
- Schools
- Governmental uses
- Cemeteries
- Parking or storage of not more than two trucks, semi-tractors, or semi-trailers with gross vehicle weight over 12,000 pounds
- Mineral extraction operations
- Asphalt plants
- Ready mix concrete plants
- Dumping Grounds
- Sanitary landfill sites
- Demolition material disposal sites
- Incinerator sites
- Salvage recycling centers
- Solid waste recycling centers
- Storage of explosive materials
- Sanitary plumbing fixtures in agricultural accessory buildings on parcels over 5 acres

### Setbacks and Height requirements for Structures 10.126

**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 requirements

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

**Rear yard for residences:** 50 feet minimum

**For uncovered decks/porches:** 38 feet minimum

**Setbacks for accessory buildings not housing livestock:** Minimum 10-foot side and rear yards

**Setbacks for agricultural buildings with livestock:** Minimum 50-foot side & rear yards

Note: 100-foot side and rear yard requirement when adjacent to R- district parcels

### Minimum Lot Area and Width 10.126(5)

**A-2 (1):** 1 acre

**A-2 (2):** 2 acres

**A-2 (4):** 4 acres

**A-2 (8):** 8 acres

**A-2:** 16 acres

#### **Residential lots:**

**Public Sewer:** 100 feet at building line and 15,000 sq.ft.

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

**Salvage recycling centers:** 3 acres minimum

### Maximum Lot Coverage all buildings and structures

**Parcels less than 2 acres:** 30% maximum or 35% for corner lots **On parcels 2 acres and larger:** 10%

## **A-2 Agricultural District**

Zoning district for agricultural and other rural uses – CH. 10-Zoning, Section 10.126

### **Accessory Buildings 10.04(1); 10.126(4); 10.16(6); 12.06(1)**

- An agricultural accessory building may be constructed on property without a principal residence.
- Sanitary fixtures are prohibited in accessory buildings, except as permitted through a conditional use permit for specific agricultural accessory buildings.
- No living spaces are allowed in accessory buildings.
- Reduced setbacks may be used for residential accessory buildings on lots. The buildings must be located in the rear yard and must be at least 10 feet away from the principal building.
  - Minimum 4-foot side yard and rear yard setbacks on lots 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 on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

### **Livestock 10.126(5); 10.01(3)**

- Livestock is not permitted on parcels less than 2 acres.
- Parcels 2 to 16 acres: Livestock is limited to 1 animal unit per full acre.
- Parcels more than 16 acres: No limit on livestock.

## A-3 Agricultural District

Zoning district for transitioning agricultural land near urban developing areas  
CH. 10-Zoning, Section 10.127

### Permitted Uses 10.127(2)

- Agricultural uses
- Sale of unprocessed agricultural products produced on the farm
- Road side stands
- Agricultural entertainment activities up to 45 days per year
- Residences lawfully existing as of February 20, 2010
- Rental of existing secondary residences
- Home occupations
- Day care for not more than 8 children
- Utility services
- Farm related exhibitions, sales, and events

### Conditional Uses 10.127(3)

- Farm family businesses for horse boarding stables, riding stables, hay and sleigh rides
- Farm family business for retail sales of bridles, saddles, grooming supplies and related items at a horse boarding or riding stable facility
- Agricultural entertainment activities more than 45 days per year
- Sale of agricultural and dairy products not produced on the premises
- Seasonal storage of recreational equipment and motor vehicles
- Limited family businesses
- Residence for the farm owner and operator
- Secondary farm residences
- Dependency living arrangements
- Governmental uses
- Religious uses
- Schools
- Non-metallic mineral extraction
- Asphalt plants and ready-mix concrete plants, with conditions
- Small scale electric generating stations

### Setbacks and Height requirements for structures 10.127; 10.16; 10.17

#### 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 requirements

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

**Rear yard for residences:** 50 feet minimum

**For uncovered decks/porches:** 38 feet minimum

**Setbacks for accessory buildings not housing livestock:** Minimum 10-foot side and rear yards

#### Setbacks for agricultural buildings with livestock:

On parcels 35 acres or less: Minimum 50-foot side & rear yards

On parcels more than 35 acres: Minimum 10-foot side & rear yards

Note: 100-foot side and rear yard requirement when adjacent to R- district parcels

### Reduced Side yard setbacks for principal buildings on Substandard Lots 10.16(5)

**Lots between 50 and 60 feet wide:** Total of 15 feet, not less than 5 feet minimum on smaller side

**Lots less than 50 feet wide:** 5 feet minimum on each side

### Minimum Lot Width & Area 10.127(5), (9); 10.05(4)

**Agricultural Uses:** Minimum 35 acres

#### Sub-standard Residential lots:

**Public Sewer:** 100 feet at building line and 15,000 sq.ft.

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

### Maximum Lot Coverage All buildings and structures

**On parcels between 2 and 35 acres:** 10%

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

## **A-3 Agricultural District**

Zoning district for transitioning agricultural land near urban developing areas  
CH. 10-Zoning, Section 10.127

### **Accessory Buildings 10.04(1); 10.12(4); 10.16(6); 12.06(1)**

- On parcels less than 5 acres, only residential accessory buildings are permitted.
- One agricultural accessory building may be constructed on property without a principal residence.
- Sanitary fixtures are prohibited in accessory buildings, except as permitted through a conditional use permit for specific agricultural accessory buildings.
- No living spaces are allowed in accessory buildings.
- Reduced setbacks may be used for residential accessory buildings on small lots. The buildings must be located in the rear yard and must be at least 10 feet away from the principal building.
  - Minimum 4-foot side yard and rear yard setbacks on lots 60 feet or more in width
  - Minimum 2.5-foot side yard and rear yard setbacks on lots less than 60 feet in width
- Zoning Permit fees are exempt for farm buildings on farms of 35 acres or larger.

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

### **Livestock 10.127**

- Livestock is not permitted on parcels less than 5 acres.
- On parcels greater than 5 acres there is no limit to the number of animal units permitted.

### **Existing Residences in A-1EX Exclusive Agriculture District 10.127**

- Any residence lawfully existing as of February 20, 2010 shall be considered a permitted use. Notwithstanding the provisions of Sections 10.21 and 10.23 regarding nonconforming uses, such structures may be added to, altered, restored, repaired, replaced or reconstructed, without limitation, provided **all** of the following criteria are met:
  - The use remains residential.
  - The structure complies with all building height, setback, side yard and rear yard standards of this ordinance.
  - 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.

## **A-4 Small Lot Agricultural District**

Zoning district for small lot agricultural uses  
CH. 10-Zoning, Section 10.129

### **Permitted uses 10.129(2)**

- Agricultural uses including: crop or forage production, keeping livestock, beekeeping, nursery, sod, or tree production, floriculture, aquaculture, fur farming, forest management, or enrollment in federal or state commodity or conservation payment program
- Agricultural accessory uses including: buildings, structures, improvements, activities or business operations of an integral part of, or incidental to, an agricultural use **except** farm residences, limited family businesses, and limited rural businesses.
- Undeveloped natural resources and open space areas
- Transportation, utility, communication or other uses required by law
- Farm exhibitions, sales or events up to 5 days per year

### **Conditional uses 10.129(3)**

- Livestock in excess of 1 animal unit per acre
- Sale of agricultural and dairy products not produced on the premises
- Incidental sale of non-alcoholic beverages and snacks
- Seasonal storage of recreational equipment and motor vehicles in existing buildings
- Farm related exhibitions, sales or events exceeding 5 days a year
- Agricultural entertainment activities: exceeding 45 days a year or in excess of 200 persons
- Horse boarding stables, riding stables, hay and sleigh rides, and horse training facilities
- Sale of bridles, saddles, and grooming supplies
- Governmental, institutional, religious, or nonprofit community uses
- Transportation, communication, pipeline, electric transmission, utility, or drainage uses not required by law

### **Setbacks and Height requirements for structures 10.129(4),(6),(7),(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:**

Non-Agricultural buildings: 35 feet maximum

Agricultural buildings: No height requirements

#### **Setbacks for agricultural buildings not housing livestock:** Minimum 10-foot side and rear yards

#### **Setbacks for agricultural buildings with livestock:**

On parcels 35 acres or less:

Minimum 50-foot side & rear yards

On parcels more than 35 acres:

Minimum 10-foot side & rear yards

Note: 100-foot side and rear yard requirement when adjacent to R- district parcels

### **Lot Size 10.129(5)**

Minimum 5 acres; maximum 35 acres

## **A-4 Small Lot Agricultural District**

Zoning district for small lot agricultural uses

CH. 10-Zoning, Section 10.129

### **Accessory Buildings Requirements 10.04(1)(b); 10.129(2); 10.16(6); 12.06(1)(k)**

- 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, except as permitted by law.
- 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 10.129(2)**

The keeping of livestock shall be limited to one (1) animal unit per each full acre.

Conditional use permits for livestock in excess of one animal unit per acre may only be considered for lots larger than 5 acres.

An animal unit is defined as 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.

## A-B Agriculture Business District

Zoning district for commercial agricultural related uses  
CH. 10-Zoning, Section 10.121

### Permitted uses 10.121(2)

- Agricultural uses including: crop or forage production, keeping livestock, beekeeping, nursery, sod, or tree production, floriculture, aquaculture, fur farming, forest management, or enrollment in federal or state commodity or conservation payment program
- Agricultural accessory uses including: buildings, structures, improvements, activities or business operations of an integral part of, or incidental to, an agricultural use
- Agriculture-related primary use including: providing agricultural supplies, agricultural equipment, agricultural inputs or agricultural services to farms. Storing, processing, or handling raw agricultural commodities from farms. Processing agricultural by-products or wastes received from farms.
- Undeveloped natural resources and open space areas
- Transportation, utility, communication or other uses required by law

### Conditional uses 10.121(3)

- Farm residences
- Limited family businesses within existing residence
- Limited rural businesses
- Bed and breakfast in an existing farm residence
- Agricultural related plant or livestock genetic laboratories
- Agricultural related experimental laboratories
- Agricultural related landscape supply or business associated with a plant or tree nursery
- Dead stock hauling service
- Sales or storage of agricultural byproducts
- Stock yards
- Livestock auction facilities
- Bio-diesel and ethanol manufacturing
- Manure processing facilities
- Biopower facilities for distribution, retail, or wholesale sales
- Governmental, institutional, religious, or nonprofit community uses
- Transportation, communication, pipeline, electric transmission, utility, or drainage uses not required by law
- Non-metallic mineral extraction

### Setbacks and Height requirements for structures 10.121(4),(7),(8),(9)

#### **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

**Side yard:** 10 feet minimum

**Rear yard:** 10 feet minimum

#### **Maximum Height:**

Office buildings & residential buildings:  
Two and one-half stories or 35 feet maximum  
All other buildings and structures: No maximum height.  
(Silos, bins, feed/seed storage facilities)

### Minimum Lot Width & Area 10.0121(6)

100 feet at building line and 20,000 square feet

### Maximum Lot Coverage all building and structures 10.0121(7)

60% maximum

**A-B Agriculture Business District**  
Zoning district for commercial agricultural related uses  
CH. 10-Zoning, Section 10.121

**Limited Businesses 10.01(30); 10.01(23)**

A **limited family business** is a small family run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except one or one full-time equivalent, must be a member of the family residing on the premises. Limited Family Businesses must comply with all requirements of s. 10.192.

A **limited rural business** may include any use permitted in the A-B, B-1, C-1 or C-2 zoning districts if it is located exclusively in building(s) in existence prior to April 30, 2005, maintains, restores or enhances the existing exterior character of the building(s), employs no more than 4 non-family employees, and does not impair or limit the current or future agricultural use of the farm or of other protected farmland.. For this purpose "family" means any number of individuals related by blood or marriage, or not to exceed five (5) persons not so related, living together on the premises as a single housekeeping unit, including any domestic servants.

## **Quick Reference Guideline for Accessory Buildings**

**To contact a Zoning Inspector about your specific situation call (608) 266-4266**

### **GENERAL INFORMATION**

- A Zoning Permit is required for accessory 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.
- Zoning Permit fees may be exempt for buildings for large farm operations on farms of 35 acres or larger.
- An Agricultural Accessory Building is defined as a building used exclusively in a farm operation. An agricultural activity must be clearly present on the property.
- A principal building (single-family dwelling) must exist or be under construction prior to the construction of an accessory building. Check specific zoning districts for exceptions for buildings as part of a farm operation.
- Accessory buildings may not be used for living spaces. No guesthouses or apartments are allowed.
- Plumbing fixtures are prohibited in accessory buildings. (Except for specific agricultural building in the A-2 Zoning District with a Conditional Use Permit.)
- Each zoning district has size and height restrictions for accessory buildings. See below.
- Accessory buildings must meet required setbacks from roads, Shoreland District, Wetlands, and Floodplain. To prevent a potential violation, check with Zoning staff to see if these features are present on or near your lot.
- A Dane County Zoning Permit must be issued before you apply for a Town building permit. Even though some Towns may not require a building permit for an accessory building, the Dane County Zoning Permit is still required.

### **SPECIFIC REGULATIONS BY ZONING DISTRICT**

#### **RESIDENTIAL DISTRICTS -- R-1, R-1A, R-2, R-3, R-3A, R-4**

- Accessory buildings may not be used for business purposes, living purposes, or housing livestock.
- A residence (principal building) must be built or under construction before an accessory building is allowed.
- The footprint area of all accessory buildings in total may not exceed 100% of the footprint area of the residence.
- The residence, plus all accessory buildings, may cover no more than 30% to 35% of the lot area (35%-40% on corner lots). See specific zoning district factsheet.
- The maximum height of an accessory building is 12 feet (measured from ground to middle of roof).
- Setbacks from side and rear lot lines:
  - Minimum 10-foot side and rear yard setbacks apply for accessory buildings over 120 square feet; may be reduced to 4 feet if located behind residence and at least 10 feet away from residence.
  - Minimum 4-foot side and rear yard setbacks apply for accessory buildings of 120 square feet or less.

#### **RURAL HOMES DISTRICTS -- RH-1, RH-2, RH-3, RH-4**

- Accessory buildings may be used for residential storage or agricultural purposes.
- A residence (principal building) must be built or under construction before an accessory building is allowed.
- The house together with all accessory buildings may not cover more than 10% of the lot area.
- The maximum height of an accessory building is 35 feet (measured from ground to middle of roof).
- Setbacks from side and rear lot lines for accessory buildings that do not house livestock:
  - Minimum 10-foot side and rear yard setbacks apply for accessory buildings over 120 square feet, may be reduced to 4 feet if located behind residence and at least 10 feet away from residence.
  - Minimum 4-foot side and rear yard setbacks apply for accessory buildings of 120 square feet or less.
- Setbacks from side and rear lot lines for accessory buildings with livestock:
  - Minimum 50 feet from side and rear lot lines
  - Minimum 100 feet if adjacent to a Residence (R-) district.

## Quick Reference Guideline for Accessory Buildings

To contact a Zoning Inspector about your specific situation call (608) 266-4266

### AGRICULTURE DISTRICTS: A-1EX, A-1, A-2 (A-2(1), A-2(2), A-2(4), A-2(8) and A-2), A-3, A-4

- Every accessory building in an Agriculture District needs a Zoning Permit, but buildings used in a farm operation may be exempt from fees. Zoning Division staff will assist farmers with the permit process.
- The minimum lot sizes for agricultural activities are:
  - A-1EX & A-3: 35 acres (5 acres for existing sub-standard parcels); livestock prohibited on parcels < 5 acres.
  - A-1: 5 acres and 250 feet wide at the location of the farm buildings; livestock prohibited on parcels < 5 acres.
  - A-2: 1 acre; livestock prohibited on parcels < 2 acres.
  - A-4: 5 acres; livestock prohibited on parcels < 5 acres.
- A residence is required before construction of an accessory building, except in
  - A-1 or A-1EX on property over 5 acres where agricultural activities are present and the building is clearly related to that activity
  - A-2 where agricultural activities are present and the building is clearly related to that activity
- All buildings shall comply with maximum lot coverage.
  - Parcels less than 2 acres: The house plus all accessory buildings may cover no more than 30% of the lot (35% for corner lots).
  - Parcels 2-35 acres: The house plus all accessory buildings may cover no more than 10% of the lot.
  - Parcels more than 35 acres: No limit.
- Maximum height of accessory buildings in agricultural districts:
  - A-1 District: 16 feet (measured from ground to middle of roof).
  - A-1Exclusive: Lots less than 2 acres in size: 12 feet (measured from ground to middle of roof).
  - Accessory buildings other than listed above: 35 feet (measured from ground to middle of roof).
  - Farm buildings that are clearly used in a farm operation have no height limit.
- Setbacks: Accessory buildings, including agricultural accessory buildings and farm buildings, must maintain setbacks from side and rear lot lines:
  - Buildings that do not house livestock
    - Minimum 10 foot side and rear yard setbacks if more than 120 square feet, may be reduced to 4 feet if located behind residence and at least 10 feet away from residence.
    - Minimum 4 foot side and rear yards if 120 square feet or less
  - Buildings with livestock.
    - Parcels less than 35 acres in A-1, A-1EX, A-3 AND all A-2 & A-4 parcels: Minimum 50 feet side and rear yard setbacks;
    - Parcels with adjoining Residence (R-) districts: "Buildings, cages, kennels, hives and runs for housing of animals or insects" must maintain a minimum 100 foot setback from a (R-) Residence Zoning District Seasonal Storage in existing agricultural accessory buildings of recreational equipment and motor vehicles owned by private individuals other than those residing on the property requires a Conditional Use Permit.

### COMMERCIAL AND OTHER: A-B, B-1, LC-1, C-1, C-2, M-1, and other districts

- Multiple buildings are permitted in these districts. Except for existing non-conforming uses, all buildings are considered "principal" uses, and no accessory building regulations apply. See each district for maximum lot coverage, building heights, and minimum side and rear yards.
- For existing non-conforming uses (for example, a house that has been located in a B-1 Local Business District since before 1950), the permitted size, height and setbacks for a proposed accessory building are subject to determination by the Zoning Administrator.

## **B-1 Local Business District**

Zoning district for retail businesses and services – CH. 10 - Zoning 10.11

### **Permitted Uses 10.11(2)**

- Retail sales or service businesses (non-automotive)
- Outdoor sales events (2 events/year)
- Incidental enclosed storage of items or materials
- Medical, dental and veterinary clinics
- Banks, offices and office buildings
- Private clubs or organizations
- Theaters and auditoriums
- Schools and educational facilities
- Recreational facilities (not lighted)
- Rental or lease of boat slips
- Utility services
- Crematoriums

### **Conditional Uses: 10.11(3)**

- Residential Uses (limited)
- Mobile home parks (see ordinance)
- Buildings with more than 4 stories
- Motels and hotels
- Hospitals
- Nursing homes
- Convalescent centers
- Extended care facilities
- Conference and convention centers
- Governmental uses
- Recreational facilities (lighted)
- Outdoor sales events other than those previously permitted

### **Setbacks and Height requirements 10.11**

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

##### **In rural areas**

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

**In urban areas: 5 feet minimum**

#### **Maximum Height:**

6 stories or 75 feet

#### **Side yard:**

**Buildings with 2 or less stories:** 10 feet minimum

**3 stories or more w/o windows:** 10 feet minimum

**3 stories or more w/ windows:** 10 ft & 5 ft per story over second story minimum

#### **Rear yard:**

**Buildings with 2 or less stories:** 10 feet minimum

**3 stories or more w/o windows:** 10 feet minimum

**3 stories or more w/ windows:** 10 ft & 5 ft per story over second story minimum

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

**Business lots:** None

**Multifamily lots:** 60 feet

**Private sewer:** 5,000 sq. feet per apartment

**Public sewer:** 2,000 to 2,250 sq. feet per apartment

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

60% maximum

### **Livestock 10.16(1)**

Not Permitted



## C-1 Commercial District

Zoning district for commercial uses – CH. 10-Zoning 10.13

### Permitted Uses 10.13(1)

- All uses permitted in the LC-1 Limited Commercial District
- Retail and service uses including grocery stores, drugstores, hardware stores, appliance and furniture stores, barbershops and beauty shops without limitation as to size
- Self service laundries and dry cleaning establishments
- Warehousing and storage incidental to a permitted use
- Medical, dental and veterinary clinics
- Banks, offices, office buildings and condominium office buildings not more than (2) floors to office space.
- Utility services
- Rooming and boarding houses
- Bakeries
- Laundries
- Dry cleaning plants
- Printing plants
- Distribution centers
- Wholesale businesses
- Woodworking shops
- Machine shops
- Manufacturing and assembly plants
- Bicycle sales and service
- Rental businesses – except for motor vehicles and construction machinery and equipment.
- Experimental laboratories (less than 5,000 sq. feet)
- Sales and repair of lawn and garden equipment
- Outdoor games (not lighted)
- Marinas
- Off-site parking of motor vehicles
- Crematoriums

### Conditional Uses: 10.13(2)

- Single family residences, duplexes, multifamily residences
- Banks, offices, office buildings and condominium office buildings devoting more than (2) floors to office space.
- Motels and hotels
- Taverns
- Funeral homes
- Drive-in establishments
- Hospitals and veterinary hospitals
- Nursing homes
- Convalescent centers
- Extended care facilities
- Mobile home parks (see ordinance)
- Outdoor amusement parks or other entertainment activity open to the public (permanent/temporary)
- Indoor or outdoor movie theater
- Automobile laundries and car wash facilities
- Dog and cat boarding kennels, grooming and training facilities
- Communication towers
- Storage of motor vehicles awaiting disposition
- Governmental uses
- Agricultural uses
- Outdoor lighted games

### Setbacks and Height Requirements 10.13(3).(5-7)

#### 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 buildings:** 4 stories maximum  
**Residential dwelling:** 2 stories or 35 feet maximum

#### Side yard:

**Buildings with 2 or less stories:** 10 feet minimum (each side)

**3 stories or more w/o windows:** 10 feet minimum

**3 stories or more w/ windows:** 10 ft plus 5 ft per story over second story minimum

#### Rear yard:

**Exclusive business use:** 10 Feet minimum

**Residential or combined use:** 25 feet minimum

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

**Business lots:** None

**Multifamily lots:** 60 feet

**Private sewer:** 5,000 sq. feet per apartment

**Public sewer:** 2,000 to 2,250 sq. feet per apartment

### Lot Coverage 10.11(5)

60% maximum



## C-2 Commercial District

Zoning district for commercial land uses – CH. 10-Zoning 10.14

### Permitted Uses 10.14(1)

- All uses permitted in the LC-1 Limited Commercial District
- All uses permitted in the C-1 Commercial District
- Retail and service uses
- Major repairs to motor vehicles
- Sales or leasing of new and used motor vehicles
- Sales of new and used mobile homes
- Recreational equipment rental, sale and service
- Repairs, storage, sales, rental, or leasing of new and used contractor's machinery and equipment
- Bulk fuel storage
- Sales and storage of lumber and building material
- Truck and bus terminals
- Auxiliary or supplemental electric generating stations
- Fertilizer mixing or blending plants
- Slaughterhouses, meat processing plants
- Bottling plants
- Storage, repair and maintenance of carnival, concession and circus machinery and equipment
- Automobile and truck driver training schools
- Construction equipment operator training schools
- Parking or storing of motor vehicles
- Storage or processing of scrap or waste materials (inside a building)
- Warehouses and mini-warehouses
- Outdoor games (not lighted)
- Adult book stores

### Conditional Uses: 10.14(2)

- Outdoor amusement parks or other entertainment activity (permanent/temporary).
- Movie theaters, outdoor theaters
- Drive-in establishments
- Automobile race tracks
- Snowmobile race tracks and courses
- All-terrain vehicle race tracks and courses
- Motorcycle race tracks
- Mineral extraction
- Solid waste disposal operations
- Sanitary landfill sites
- Auto laundries and car washes
- Taverns
- Residence for a watchman or caretaker
- Communication towers
- Dog and cat boarding kennels, grooming and training facilities
- Governmental uses
- Agricultural uses
- Outdoor lighted games.
- Religious uses
- Motels and hotels
- Storage of explosive materials

### Setbacks and Height requirements: 10.14

#### 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

#### Height:

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

#### Side yard:

Buildings with 2 or less stories: 10 feet

3 stories or more w/o windows: 10 feet

3 stories or more w/ windows: 10 ft plus 5 ft per story over second story

#### Rear yard:

10 Feet minimum

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

None

### Lot Coverage 10.11(5)

60% maximum



## **CO-1 Conservancy District**

Zoning district to protect natural resources and open space areas  
CH. 10-Zoning, Section 10.155

### **Permitted Uses 10.155(2)**

- Hiking, fishing, trapping, hunting, swimming, and boating
- Propagation and raising of game animals, fowl, and fish
- The practice of silviculture, including the planting, thinning and harvesting of timber
- The harvesting of any wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds
- Pasturing/Grazing of livestock
- Undeveloped natural resource and open space areas
- Uses permitted within the shoreland-wetland or inland-wetland district (See Chapter 11)
- Soil conservation, shoreland, wetland and ecological restoration practices permitted under a shoreland zoning permit or a shoreland mitigation permit
- Nonresidential buildings or structures accessory to any permitted use, provided any such building or structure is not located in a shoreland-wetland, or inland-wetland district.

### **Conditional Uses 10.155(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.
- Communication towers
- Soil conservation, shoreland, wetland and ecological restoration practices not covered under a shoreland zoning permit or shoreland mitigation permit
- Construction and maintenance of roads, railroads, or utilities

### **Livestock 10.155(2)**

- 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.



## LC-1 Limited Commercial District

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

### **Purpose of the Limited Commercial District 10.111(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 10.111(2)**

- Office uses (limited to 6 on-site employees)
- Incidental parking for employees
- Indoor storage
- Incidental indoor maintenance
- Outdoor storage of up to 12 total vehicles and pieces of construction equipment
- Utility Services

### **Conditional Uses 10.111(3)**

- Outdoor storage
- Single family residences for a caretaker or owner of the business
- Light Industrial (see definition below)
- Limited Rural Businesses (see definition below)
- Storage of more than 12 total vehicles and pieces of construction equipment

### **Setbacks, Height , and Size requirements 10.111(6-10)**

#### **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

### **Lot Width & Area: 10.111(6)**

**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 10.111

**Lot Coverage 10.11(7)**

Maximum 35% of all buildings on property

**Definitions and General Notes for LC-1 Limited Commercial District 10.01, 10.111**

**DEFINITIONS:**

- **Incidental indoor maintenance** 10.01(27g): Maintenance and repair of equipment and vehicles owned and operated by a principal business on the premises, and not as a service to others. All maintenance activities must take place within an enclosed building.
- **Indoor storage** 10.01(27h): 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** 10.01(30f): 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): **(a)** are conducted entirely within an enclosed building; **(b)** are not potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line; **(c)** do not pose a significant safety hazard (such as danger of explosion); **(d)** include no retail sales.
- **Limited rural business** 10.01(30g): May include any use permitted in the A-B, B-1, C-1 or C-2 zoning districts if it is located exclusively in building(s) in existence prior to April 30, 2005, maintains, restores or enhances the existing exterior character of the building(s), employs no more than 4 non-family employees, and does not conflict with the overall purposes of the LC-1 district. "Family" has the meaning set forth in section 10.01(23)
- **Office** 10.01(40m): 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** 10.01(40t): Uses primarily oriented to the receiving, holding and shipping of materials for a single business. Such a use, in which any activity beyond loading and parking is located outdoors, is considered an outdoor storage use. Such uses do not include junk or other materials typically associated with a junkyard, salvage recycling center or solid waste recycling center, as defined in this ordinance. Outdoor storage of materials is not permitted within the building setback area described in s. 10.17.

**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 10.18 of the Dane County Code of Ordinances (DCCO).
- Screening must be provided and maintained on lots adjacent to an R- Residential district, RH- Rural Homes district, or A-2 Agriculture district. Screening typically requires landscaping consisting of either a planted evergreen screen at least 6 feet wide and initially planted with 4-foot tall evergreen shrubs to ultimately form a continuous hedge at least 5 feet in height and maintained with healthy shrubs; or a solid 6-8 feet tall decorative wall or fence without any signs and consistent with Section 10.16(7) DCCO.
- **LC-1 Contractor Businesses:** Typical contractor businesses permitted in the LC-1 district include, but are not limited to, landscaping, electrical contractors, plumbing contractors, and heating/ventilating/air conditioning (HVAC) contractors.
- **Alternative Commercial Zoning:** Contractor businesses other than general, mechanical and landscaping contractor businesses may need C-1 Commercial or, more commonly, C-2 Commercial zoning. Both C-1 and C-2 zoning do not limit the number of items of construction equipment. C-2 accommodates outside parking or storing of motor vehicles (Section 10.14(1)(q) DCCO), while C-1 does not.

**Livestock 10.16(1)**

Not Permitted

## M-1 Industrial District

Zoning district for industrial and other commercial uses – CH. 10-Zoning, Section 10.15

### Permitted Uses: 10.15(1)

#### These uses are permitted only in the M-1 district:

- Foundries and forging plants
- Structural steel fabrication plants
- Metal pressing, stamping or spinning plants
- Mobile home and manufactured housing plants
- Manufacturing and assembly plants for automobiles, farm equipment and construction machinery (as distinguished from other manufacturing and assembly plants permitted under C-1 Commercial, below)

#### All the uses below this are permitted in the M-1 and C-2 Commercial districts:

*Note: Uses are not limited in regard to size.*

- Major repairs to motor vehicles
- Sales, rental or leasing of new and used motor vehicles
- Sales of new and used mobile homes
- Sales, service and rental of recreational equipment
- Sales, service, repairs, storage, rental and leasing of new and used contractor's machinery and equipment
- Storage, repair and maintenance of carnival, concession and circus machinery and equipment
- Truck and bus terminals

- Construction equipment operator training schools, if privately operated
- Automobile and truck driver training schools, if privately operated
- Parking or storing of motor vehicles
- Bulk fuel storage
- Sales and storage of lumber and building material
- Slaughterhouses, meat processing plants
- Bottling plants
- Fertilizer mixing or blending plants
- Auxiliary or supplemental electric generating stations
- Storage or processing of scrap or waste materials inside a building
- Warehouses
- Mini-warehouses
- Adult book stores

#### All the uses below this are permitted in the M-1, C-2 and C-1 Commercial districts:

- Retail and service uses
- Sales and repair of lawn and garden equipment
- Bicycle sales and service
- Self service laundries and dry cleaning establishments
- Medical, dental and veterinary clinics
- Banks, offices, office buildings and condominium office buildings, (limited to 2 floors of office space in C-1;
- Bakeries
- Printing plants
- Laundries and dry cleaning plants

- Woodworking shops
- Machine shops
- Rental businesses
- Distribution centers
- Wholesale businesses
- Manufacturing and assembly plants
- Experimental laboratories (limited to 5,000 square feet in C-1)
- Crematoriums
- Marinas
- Rooming and boarding houses
- Games (not lighted)
- Warehousing and storage incidental to a permitted use
- Off-site parking of motor vehicles

#### All the uses below this are permitted in the M-1, C-2, C-1 and LC-1 Limited Commercial districts:

- General, mechanical and landscape contracting businesses
- Storage, maintenance and repairs of maximum 12 items of construction equipment necessary for the operation of a general, mechanical or landscape contracting business
- Outside storage of materials or supplies used by a contractor
- School bus and motor coach transportation businesses
- Storage, maintenance and repairs of vehicles and school buses used in school bus and motor coach transportation businesses
- Single family residence for an owner of the business or a caretaker
- Utility services

### Conditional Uses: 10.15(2)

- Drive-in establishments (see Note A)
- Automobile race tracks
- Motorcycle race tracks (See Note B)
- Mineral extraction (see 10.191)
- Solid waste disposal operations
- Sanitary landfill sites
- Salvage recycling centers (see 10.20)
- Auto laundries and car washes
- Taverns
- Residence for a watchman or caretaker
- Communication towers (see 10.194)
- Governmental uses
- Agricultural uses
- Fertilizer manufacturing plants
- Explosive and chemical manufacturing plants

## **M-1 Industrial District**

Zoning district for industrial and other commercial uses – CH. 10-Zoning, Section 10.15

### **Setbacks and Height requirements 10.15**

**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

**Height:**

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

**Side yard:** 10 feet (see ordinance)

**Rear yard:** 10 feet minimum

### **General Notes for M-1 Industrial District**

- Off-site parking of motor vehicles must comply with Dane County Code of Ordinances 10.18.
- Screening must be provided and maintained along lot lines ("interior" boundaries only, not rights-of-way) abutting a Residential district: Landscaping consisting of either a planted evergreen screen at least 6 feet wide and initially planted with 4-foot tall evergreen shrubs to ultimately form a continuous hedge at least 5 feet in height and maintained with healthy shrubs; or a solid 6-8 feet tall decorative wall or fence without any signs.

### **Livestock**

Permitted only in slaughterhouses and meat processing plants, and as allowed under an Agricultural Use Conditional Use Permit (usually as limited or specified by Town Board or Dane County Zoning and Land Regulation Committee).

## **R-1 Residential District**

Zoning district primarily for single-family residential uses -- CH. 10-Zoning, Section 10.05

### **Permitted Uses 10.05(1)**

- o Single family homes – one per parcel
- o Utility services
- o Home occupations
- o Incidental uses and accessory buildings
- o Community living arrangements for less than 9 people
- o Foster homes for less than 5 children

### **Conditional Uses: 10.05(2)**

- o Daycare centers
- o Community living arrangements for 9 or more people
- o Cemeteries
- o Governmental uses
- o Private club houses
- o Fraternities
- o Religious uses
- o Dependency living arrangements
- o Schools

### **Setbacks and Height Requirements for Principal Structures 10.05; 10.16; 10.17**

#### **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:**

25 feet total, with no single side less than 10 feet minimum

**Rear yard for homes:** 50 feet minimum

**For uncovered decks/porches:** 38 feet minimum

#### **Maximum Height:**

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

### **Reduced Side Yard for Principal Structures on Substandard Lots 10.16(5)**

**Lots between 50 and 60 feet wide:** Total of 15 feet, not less than 5 feet minimum on smaller side

**Lots less than 50 feet wide:** 5 feet minimum per side

NOTE: See ordinance for corner lot exceptions.

### **Minimum Requirement for Lot Width & Area**

**Public Sewer:** 100 feet at building line and 15,000 sq.ft.

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

### **Maximum Lot Coverage: All buildings and structures**

**Non-corner lot:** 30% maximum

**Corner lot:** 35% maximum

### **Accessory Buildings Requirements 10.04(1); 10.05(3); 10.16(6)**

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

- o A principal residential use (home) exists or is under construction before a Zoning Permit for an accessory building may be issued.
- o The total floor area of all residential accessory buildings shall not exceed 100% of the footprint area of the home.
- o Accessory buildings shall not exceed 12 feet average height (mean of roof).
- o Sanitary fixtures are prohibited in accessory buildings.
- o No living spaces are allowed in accessory buildings.
- o 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.
  - o Minimum 4-foot side yard and rear yard setbacks on lots 60 feet or more in width
  - o 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 on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

### **Livestock**

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

SEE DOMESTIC FOWL FACT SHEET



## R-1A Residential District

Zoning district primarily for single-family residential uses -- CH. 10-Zoning, Section 10.051

### **Permitted Uses 10.051(1)**

- o Single family homes – one per parcel
- o Utility services
- o Home occupations
- o Incidental uses and accessory buildings
- o Community living arrangements for less than 9 people
- o Foster homes for less than 5 children

### **Conditional Uses 10.051(2)**

- o Daycare centers
- o Community living arrangements for 9 or more people
- o Cemeteries
- o Governmental uses
- o Private club houses
- o Fraternities
- o Religious uses
- o Dependency living arrangements
- o Schools

### **Setbacks and Height Requirements for Principal Structures 10.051; 10.16; 10.17**

#### **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:**

25 feet total, with no single side less than 10 feet minimum

**Rear yard for homes:** 50 feet minimum

**For uncovered decks/porches:** 38 feet minimum

#### **Maximum Height:**

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

### **Reduced Side Yard for Principal Structures on Substandard Lots 10.16(5)**

**Lots between 50 and 60 feet wide:** Total of 15 feet, not less than 5 feet minimum on smaller side

**Lots less than 50 feet wide:** 5 feet minimum per side

NOTE: See ordinance for corner lot exceptions.

### **Minimum Requirement for Lot Width & Area**

**Public Sewer:** 100 feet and 1 Acre minimum

**Septic System:** 100 feet and 1 Acre minimum

### **Maximum Lot Coverage: All buildings and structures**

**Non-corner lot:** 20% maximum

**Corner lot:** 25% maximum

### **Accessory Building Requirements 10.04(1); 10.05(3); 10.16(6)**

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

- o A principal residential use (home) exists or is under construction before a Zoning Permit for an accessory building may be issued.
- o The total floor area of all residential accessory buildings shall not exceed 100% of the footprint area of the home.
- o Accessory buildings shall not exceed 12 feet average height (mean of roof).
- o Sanitary fixtures are prohibited in accessory buildings.
- o No living spaces are allowed in accessory buildings.
- o 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.
  - o Minimum 4-foot side yard and rear yard setbacks on lots 60 feet or more in width
  - o 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 on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

### **Livestock**

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

SEE DOMESTIC FOWL FACT SHEET



## **R-2 Residential District**

Zoning district primarily for single-family residential uses -- CH. 10-Zoning, Section 10.06

### **Permitted Uses 10.06(1)**

- Single family home – one per parcel
- Utility services
- Home occupations
- Incidental uses and accessory buildings
- Community living arrangements for less than 9 people
- Foster homes for less than 5 children

### **Conditional Uses 10.06(2)**

- Daycare centers
- Community living arrangements for 9 or more people
- Cemeteries
- Governmental uses
- Private club houses
- Fraternities
- Religious uses
- Dependency living arrangements
- Schools

### **Setbacks and Height Requirements for Principal Structures 10.06; 10.16; 10.17**

#### **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

#### **Side yard:**

10 feet minimum each side

**Rear yard for homes:** 35 feet minimum

**For uncovered decks/porches:** 23 feet minimum

#### **Maximum Height:**

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

### **Reduced Side Yard for Principal Structures on Substandard Lots 10.16(5)**

**Lots between 50 and 60 feet wide:** Total of 15 feet, not less than 5 feet minimum on smaller side

**Lots less than 50 feet wide:** 5 feet minimum per side

NOTE: See ordinance for corner lot exceptions.

### **Minimum Requirement for Lot Width & Area**

**Public Sewer:** 75 feet and 10,000 sq. feet minimum

**Septic System:** 100 feet and 20,000 sq. feet minimum

### **Maximum Lot Coverage: All buildings and structures**

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

**Corner lot:** 40% maximum

### **Accessory Buildings Requirements 10.04(1); 10.06(3); 10.16(6)**

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.
- The total floor area of all residential accessory buildings shall not exceed 100% of the footprint area of the home.
- Accessory buildings shall not exceed 12 feet average height (mean of roof).
- 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 each accessory 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**

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

SEE DOMESTIC FOWL FACT SHEET



## R-3 Residential District

Zoning district primarily for single-family residential uses only -- CH. 10-Zoning, Section 10.07

### Permitted Uses 10.07(1)

- o Single family home – one per parcel
- o Utility services
- o Home occupations
- o Incidental uses and accessory buildings
- o Community living arrangements for less than 9 people
- o Foster homes for less than 5 children

### Conditional Uses 10.07(2)

- o Daycare centers
- o Community living arrangements for 9 or more people
- o Cemeteries
- o Governmental uses
- o Private club houses
- o Fraternities
- o Religious uses
- o Dependency living arrangements
- o Schools

### Setbacks and Height Requirements for Principal Structures 10.07; 10.16; 10.17

**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

**Side yard:**  
 10 feet minimum each side  
**Rear yard for homes:** 25 feet minimum  
**For uncovered decks/porches:** 13 feet minimum

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

### Reduced Side Yard for Principal Structures on Substandard Lots 10.16(5)

**Lots between 50 and 60 feet wide:** Total of 15 feet, not less than 5 feet minimum on smaller side  
**Lots less than 50 feet wide:** 5 feet minimum per side

NOTE: See ordinance for corner lot exceptions.

### Minimum Requirement for Lot Width & Area

**Public Sewer:** 60 feet and 8,000 sq. feet minimum

**Septic System:** 100 feet and 20,000 sq. feet minimum

### Maximum Lot Coverage: All buildings and structures

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

**Corner lot:** 40% maximum

### Accessory Buildings Requirements 10.04(1); 10.07(3); 10.16(6)

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

- o A principal residential use (home) exists or is under construction before a Zoning Permit for an accessory building may be issued.
- o The total floor area of all residential accessory buildings shall not exceed 100% of the footprint area of the home.
- o Accessory buildings shall not exceed 12 feet average height (mean of roof).
- o Sanitary fixtures are prohibited in accessory buildings.
- o No living spaces are allowed in accessory buildings.
- o 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.
  - o Minimum 4-foot side yard and rear yard setbacks on lots 60 feet or more in width
  - o 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 on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

### Livestock

Not Permitted (e.g. horses, pigs, cows, llamas) SEE DOMESTIC FOWL FACT SHEET



## R-3A Residential District

Zoning district for single family and duplex uses -- CH. 10-Zoning 10.071

### Permitted Uses 10.071(1)

- o Single family homes – one per parcel
- o Two-family homes (duplexes) – one per parcel
- o Utility services
- o Home occupations
- o Incidental uses and accessory buildings
- o Community living arrangements for less than 9 people
- o Foster homes for less than 5 children

### Conditional Uses 10.071(2)

- o Daycare centers
- o Community living arrangements for 9 or more people
- o Cemeteries
- o Governmental uses
- o Private club houses
- o Fraternities
- o Religious uses
- o Dependency living arrangements
- o Schools

### Setbacks and Height Requirements for Principal Structures 10.071(3),(6),(7),(8); 10.16; 10.17

#### 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

#### Side yard for single-family homes and Duplexes:

10 feet minimum

**Rear yard:** For SFRs: 25 feet minimum;  
For Duplexes: 35 feet minimum.

#### For uncovered decks/porches:

SFRs: 13 feet minimum; Duplexes: 23 feet minimum

#### Maximum Height: For SFRs and Duplexes:

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

### Reduced Side Yard for Principal Structures on Substandard Lots: 10.16(5)

**Lots between 50 and 60 feet wide:** Total of 15 feet, not less than 5 feet minimum on smaller side

**Lots less than 50 feet wide:** 5 feet minimum per side

NOTE: See ordinance for corner lot exceptions.

### Minimum Requirement for Lot Width & Area

**Public Sewer** – Single Family Residence: 60 feet and 8,000 sq. feet

**Septic System** – 100 feet and 20,000 sq. feet

Duplex: 75 feet and 10,000 sq. feet minimum

### Maximum Lot Coverage: All buildings and structures

**Non-corner lot:** 30% maximum

**Corner lot:** 35% maximum

### Accessory Buildings Requirements 10.04(1); 10.071(3); 10.16(6)

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

- o A principal residential use (home) exists or is under construction before a Zoning Permit for an accessory building may be issued.
- o The total floor area of all residential accessory buildings shall not exceed 100% of the footprint area of the home.
- o Accessory buildings shall not exceed 12 feet average height (mean of roof).
- o Sanitary fixtures are prohibited in accessory buildings.
- o No living spaces are allowed in accessory buildings.
- o 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.
  - o Minimum 4-foot side yard and rear yard setbacks on lots 60 feet or more in width
  - o 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 on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

### Livestock

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

SEE DOMESTIC FOWL FACT SHEET



## **R-4 Residential District**

Zoning district for primarily multiple-family residential uses -- CH. 10-Zoning, S. 10.08

### **Permitted Uses 10.08(1)**

- Single family residences
- Duplexes
- Multiple family dwellings and condominiums
- Foster homes for less than 5 children
- Community living arrangements less than 16 people
- Utility services
- Home occupations
- Incidental uses and accessory buildings

### **Conditional Uses 10.08(2)**

- Daycare centers
- Schools
- Community living arrangements for 16 or more people
- Nursing homes
- Extended care facilities
- Hospitals
- Medical clinics
- Veterinary clinics
- Professional offices
- Dependency living arrangements
- Governmental uses
- Religious uses
- Private club homes and fraternities
- Cemeteries
- Mobile home parks

### **Setbacks and Height Requirements for Principal Structures 10.08(3),(6),(7),(8); 10.16; 10.17**

#### **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:**

**Single family residences and Duplexes --**  
 Two & one-half stories or 35 feet (mean of roof)  
**Multiple family --** 4 stories maximum

#### **Side yard:**

**Single family residences and Duplexes --**  
 10 feet minimum

#### **Multiple family:**

**1-2 stories:** 10 feet minimum  
**3 stories or more without windows:** 10 feet minimum  
**3 stories or more with windows:** 10 feet minimum plus 5 feet added for each story above '2<sup>nd</sup>'

#### **Rear yard:**

**Single family residences and Duplexes:** 25 feet  
**Multiple family --**  
**1-2 stories:** 25 feet minimum  
**3+ stories:** 25 ft minimum + 5 feet per story above 2nd

### **Reduced Side Yard for Principal Structures on Substandard Lots 10.16(5)**

**Lots between 50 and 60 feet wide:** Total of 15 feet, not less than 5 feet minimum on smaller side  
**Lots less than 50 feet wide:** 5 feet minimum on each side  
 NOTE: See ordinance for corner lot exceptions.

### **Minimum Requirement for Lot Width & Area**

#### **Public Sewer:**

**Single family:** 60 feet and 8,000 sq. feet minimum  
**Duplexes:** 75 feet and 10,000 sq. feet minimum  
**Multiple family:** 60 feet and 8,000 sq. feet minimum  
with minimum lot area  
 2,000 sq. feet per efficiency, one and two bedroom  
**OR** 2250 sq. feet per 3+ bedroom

#### **Septic Systems:**

**Single family residences and Duplexes:**  
 100 feet and 20,000 sq. feet minimum  
**Multiple family:**  
 100 feet and 20,000 sq. feet minimum  
with minimum lot area  
 5000 sq. feet per dwelling unit minimum

## **R-4 Residential District**

Zoning district for primarily multiple-family residential uses -- CH. 10-Zoning, S. 10.08

### **Maximum Lot Coverage: All buildings and structures**

#### **Single family and Duplexes:**

**Non-corner lot:** 30% maximum

**Corner lot:** 35% maximum

**Multiple family:** No maximum lot coverage percentage

### **Accessory Building Requirements 10.04(1); 10.08(3); 10.16(6)**

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.
- The total floor area of all residential accessory buildings shall not exceed 100% of the footprint area of the home.
- Accessory buildings shall not exceed 12 feet average height (mean of roof).
- 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 on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

### **Mobile Home Parks 10.08(10)**

- Each space or lot for a single mobile home must have a minimum 3,000 sq. feet
- There must be 20 feet of spacing between mobile homes
- Each lot must be landscaped with at least one fast growing tree of at least 2 inches in diameter at ground level and two bushes or shrubs of at least 3 feet in height, or a landscaping plan utilizing topography, planting of trees or shrubs and or decorative fencing to provide a degree of privacy between lots must be submitted with the application for a conditional use permit.
- A well drained, clean and safe park and recreation area with a sufficient amount of playground equipment of at least ½ acre per 50 lots is required.
- All roads and streets must conform to the standards for platted roads and streets and must be paved in accordance with the paving standards of the town in which the park is located.
- Spacing between mobile homes and accessory buildings must be in accordance with Wis. Admin. Code, but in no case be less than 5 feet.
- A preliminary map of the park showing lot delineations, location of streets, access points to public roads, location of proposed buildings, park and recreational areas must be submitted with the application for a conditional use permit.

### **Livestock**

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

SEE DOMESTIC FOWL FACT SHEET

## **RE-1 Recreational District**

Zoning district primarily for recreational land uses – CH. 10-Zoning, Section 10.10

### **Permitted Uses 10.10(1)**

- o Recreational facilities (not lighted)
- o Boat, canoe, and snowmobile rental services
- o Sale of bait for fishing
- o Incidental uses
- o Ski slopes and jumps, toboggan slides
- o Residences for an owner or caretaker of a permitted use
- o Utility services

### **Conditional Uses: 10.10(2)**

- o Recreational camps, campgrounds, and camping resorts along with the services and facilities necessary to serve the premises
- o Rental of residential buildings to someone other than an employee or caretaker on the premises
- o Recreational facilities (lighted)
- o Sale of alcoholic beverages by the drink
- o Skeet, trap, rifle and pistol ranges
- o Private hunting and shooting preserves
- o Governmental uses

### **Setbacks and Height Requirements for Principal Structures: 10.10(3),(5-7)**

#### **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:**

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

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

#### **Side yard:**

**Residence of an owner or caretaker:** 10 feet

#### **Other permitted structures:**

10 feet **except** if the adjacent or abutting land is a residence district, then 50 feet

#### **Rear yard:**

**Residence of an owner or caretaker:** 25 feet

#### **Other permitted structures:**

25 feet **except** if the adjacent or abutting land is a residence district, then 50 feet

### **Reduced Side Yard for Principal Structures on Substandard Lots 10.16(5)**

**Lots between 50 and 60 feet wide:** Total of 15 feet, not less than 5 feet minimum on smaller side

**Lots less than 50 feet wide:** 5 feet minimum on each side

NOTE: See ordinance for corner lot exceptions.

### **Minimum Requirement for Lot Width & Area**

**Public Sewer:** 100 feet at building line and 15,000 sq.ft.

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

### **Livestock**

Not Permitted



## **RH-1 Rural Homes District**

Zoning district for single family homes with agricultural uses allowed – CH. 10-Zoning 10.09

### **Permitted Uses 10.09(1)**

- o Single family homes – one per parcel
- o Agricultural uses
- o Utility services
- o Home occupations
- o Incidental uses and accessory buildings
- o Community living arrangements for less than 9 people
- o Foster homes for less than 5 children

### **Conditional Uses 10.09(2)**

- o Daycare centers
- o Community living arrangements for 9 or more people
- o Bed & Breakfasts
- o Governmental uses
- o Religious uses
- o Dependency living arrangements
- o Schools

### **Setbacks and Height Requirements for Structures 10.09(3); 10.16; 10.17**

#### **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: For homes and accessory buildings:**

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

#### **Side yard:**

25 feet total, with no single side less than 10 feet minimum

**Rear yard for homes:** 50 feet minimum

**For uncovered decks/porches:** 38 feet minimum

#### **Side yard and Rear yard for accessory buildings:**

10 feet minimum with no livestock

50 feet minimum when housing livestock OR

100 feet minimum when housing livestock *and* within 100 feet of an abutting R-Residence district

### **Minimum Requirement for Lot Width & Area**

**Minimum width:** 150 feet at location of structure

**Minimum Area:** 2 acres

### **Maximum Lot Coverage: All buildings and structures**

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

### **Accessory Buildings Requirements 10.04(1); 10.16(6)**

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

- o A principal residential use (home) exists or is under construction before a Zoning Permit for an accessory building may be issued.
- o Sanitary fixtures are prohibited in accessory buildings.
- o No living spaces are allowed in accessory buildings.
- o 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.
  - o Minimum 4-foot side yard and rear yard setbacks on lots 60 feet or more in width
  - o 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 on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

### **Livestock 10.09(1)**

- 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.
- o All structures housing livestock must be located 50 feet from each side and rear lot line, EXCEPT they must be 100 feet from a lot line abutting an R-Residence Zoning District (in most cases).



## RH-2 Rural Homes District

Zoning district for single family homes with agricultural uses – CH. 10-Zoning 10.091

### Permitted Uses 10.091(1)

- o Single family homes – one per parcel
- o Agricultural uses
- o Utility services
- o Home occupations
- o Incidental uses and accessory buildings
- o Community living arrangements for less than 9 people
- o Foster homes for less than 5 children

### Conditional Uses 10.091(2)

- o Daycare centers
- o Community living arrangements for 9 or more people
- o Bed & Breakfasts
- o Governmental uses
- o Religious uses
- o Dependency living arrangements
- o Schools

### Setbacks and Height Requirements for Structures 10.091(3),(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

#### Maximum Height: For homes and accessory buildings:

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

#### Side yard:

25 feet total, with no single side less than 10 feet minimum

Rear yard for homes: 50 feet minimum

For uncovered decks/porches: 38 feet minimum

#### Side yard and Rear yard for accessory buildings:

10 feet minimum with no livestock

50 feet minimum when housing livestock OR

100 feet minimum when housing livestock and within 100 feet of an abutting R-Residence district

### Minimum Requirement for Lot Width & Area

Minimum width: 150 feet at location of structure

Minimum Area: 4 acres

### Maximum Lot Coverage: All buildings and structures

Maximum building coverage of lot: 10% of lot area

### Accessory Buildings Requirements 10.04(1); 10.16(6)

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

- o A principal residential use (home) exists or is under construction before a Zoning Permit for an accessory building may be issued.
- o Sanitary fixtures are prohibited in accessory buildings.
- o No living spaces are allowed in accessory buildings.
- o 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.
  - o Minimum 4-foot side yard and rear yard setbacks on lots 60 feet or more in width
  - o 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 on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

### Livestock 10.091(1)

- 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.
- o All structures housing livestock must be located 50 feet from each side and rear lot line, EXCEPT they must be 100 feet from a lot line abutting an R-Residence Zoning District (in most cases).



## **RH-3 Rural Homes District**

Zoning district for single family homes with agricultural uses – CH. 10-Zoning 10.092

### **Permitted Uses 10.092(1)**

- Single family homes – one per parcel
- Agricultural uses
- Utility services
- Home occupations
- Incidental uses and accessory buildings
- Community living arrangements for less than 9 people
- Foster homes for less than 5 children

### **Conditional Uses 10.092(2)**

- Daycare centers
- Community living arrangements for 9 or more people
- Bed & Breakfasts
- Governmental uses
- Religious uses
- Dependency living arrangements
- Schools

### **Setbacks and Height Requirements for Structures 10.092(3),(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

#### **Maximum Height: For homes and accessory buildings:**

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

#### **Side yard:**

25 feet total, with no single side less than 10 feet minimum

**Rear yard for homes:** 50 feet minimum

**For uncovered decks/porches:** 38 feet minimum

#### **Side yard and Rear yard for accessory buildings:**

10 feet minimum with no livestock  
50 feet minimum when housing livestock OR  
100 feet minimum when housing livestock *and* within 100 feet of an abutting R-Residence district

### **Minimum Requirement for Lot Width & Area**

**Minimum width:** 150 feet at location of structure

**Minimum Area:** 8 acres

### **Maximum Lot Coverage: All buildings and structures**

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

### **Accessory Buildings Requirements 10.04(1); 10.16(6)**

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.
- 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 on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

### **Livestock 10.092(1)**

- 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.
- All structures housing livestock must be located 50 feet from each side and rear lot line, EXCEPT they must be 100 feet from a lot line abutting an R-Residence Zoning District (in most cases).



## RH-4 Rural Homes District

Zoning district for single family homes with agricultural uses – CH. 10-Zoning 10.093

### Permitted Uses 10.093(1)

- Single family homes – one per parcel
- Agricultural uses
- Utility services
- Home occupations
- Incidental uses and accessory buildings
- Community living arrangements for less than 9 people
- Foster homes for less than 5 children

### Conditional Uses 10.093(2)

- Daycare centers
- Community living arrangements for 9 or more people
- Bed & Breakfasts
- Governmental uses
- Religious uses
- Dependency living arrangements
- Schools

### Setbacks and Height Requirements for Structures 10.093(3),(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

#### Maximum Height: For homes and accessory buildings:

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

#### Side yard:

25 feet total, with no single side less than 10 feet minimum

**Rear yard for homes:** 50 feet minimum

**For uncovered decks/porches:** 38 feet minimum

#### Side yard and Rear yard for accessory buildings:

10 feet minimum with no livestock

50 feet minimum when housing livestock OR

100 feet minimum when housing livestock *and* within 100 feet of an abutting R-Residence district

### Minimum Requirement for Lot Width & Area

**Minimum width:** 150 feet at location of structure

**Minimum Area:** 16 acres

### Maximum Lot Coverage: All buildings and structures

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

### Accessory Buildings Requirements 10.04(1); 10.16(6)

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.
- 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 on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

### Livestock 10.093(1)

- 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.
- All structures housing livestock must be located 50 feet from each side and rear lot line, EXCEPT they must be 100 feet from a lot line abutting an R-Residence Zoning District (in most cases).



## Quick Reference Guideline for Accessory Buildings

*To contact a Zoning Inspector about your specific situation call (608) 266-4266*

### **GENERAL INFORMATION**

- A Zoning Permit is required for accessory 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.
- Zoning Permit fees may be exempt for buildings for large farm operations on farms of 35 acres or larger.
- An Agricultural Accessory Building is defined as a building used exclusively in a farm operation. An agricultural activity must be clearly present on the property.
- A principal building (single-family dwelling) must exist or be under construction prior to the construction of an accessory building. Check specific zoning districts for exceptions for buildings as part of a farm operation.
- Accessory buildings may not be used for living spaces. No guesthouses or apartments are allowed.
- Plumbing fixtures are prohibited in accessory buildings. (Except for specific agricultural building in the A-2 Zoning District with a Conditional Use Permit.)
- Each zoning district has size and height restrictions for accessory buildings. See below.
- Accessory buildings must meet required setbacks from roads, Shoreland District, Wetlands, and Floodplain. To prevent a potential violation, check with Zoning staff to see if these features are present on or near your lot.
- A Dane County Zoning Permit must be issued before you apply for a Town building permit. Even though some Towns may not require a building permit for an accessory building, the Dane County Zoning Permit is still required.

### **SPECIFIC REGULATIONS BY ZONING DISTRICT**

#### **RESIDENTIAL DISTRICTS -- R-1, R-1A, R-2, R-3, R-3A, R-4**

- Accessory buildings may not be used for business purposes, living purposes, or housing livestock.
- A residence (principal building) must be built or under construction before an accessory building is allowed.
- The footprint area of all accessory buildings in total may not exceed 100% of the footprint area of the residence.
- The residence, plus all accessory buildings, may cover no more than 30% to 35% of the lot area (35%-40% on corner lots). See specific zoning district factsheet.
- The maximum height of an accessory building is 12 feet (measured from ground to middle of roof).
- Setbacks from side and rear lot lines:
  - Minimum 10-foot side and rear yard setbacks apply for accessory buildings over 120 square feet; may be reduced to 4 feet if located behind residence and at least 10 feet away from residence.
  - Minimum 4-foot side and rear yard setbacks apply for accessory buildings of 120 square feet or less.

#### **RURAL HOMES DISTRICTS -- RH-1, RH-2, RH-3, RH-4**

- Accessory buildings may be used for residential storage or agricultural purposes.
- A residence (principal building) must be built or under construction before an accessory building is allowed.
- The house together with all accessory buildings may not cover more than 10% of the lot area.
- The maximum height of an accessory building is 35 feet (measured from ground to middle of roof).
- Setbacks from side and rear lot lines for accessory buildings that do not house livestock:
  - Minimum 10-foot side and rear yard setbacks apply for accessory buildings over 120 square feet, may be reduced to 4 feet if located behind residence and at least 10 feet away from residence.
  - Minimum 4-foot side and rear yard setbacks apply for accessory buildings of 120 square feet or less.
- Setbacks from side and rear lot lines for accessory buildings with livestock:
  - Minimum 50 feet from side and rear lot lines
  - Minimum 100 feet if adjacent to a Residence (R-) district.

## Quick Reference Guideline for Accessory Buildings

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### AGRICULTURE DISTRICTS: A-1EX, A-1, A-2 (A-2(1), A-2(2), A-2(4), A-2(8) and A-2), A-3, A-4

- Every accessory building in an Agriculture District needs a Zoning Permit, but buildings used in a farm operation may be exempt from fees. Zoning Division staff will assist farmers with the permit process.
- The minimum lot sizes for agricultural activities are:
  - A-1EX & A-3: 35 acres (5 acres for existing sub-standard parcels); livestock prohibited on parcels < 5 acres.
  - A-1: 5 acres and 250 feet wide at the location of the farm buildings; livestock prohibited on parcels < 5 acres.
  - A-2: 1 acre; livestock prohibited on parcels < 2 acres.
  - A-4: 5 acres; livestock prohibited on parcels < 5 acres.
- A residence is required before construction of an accessory building, except in
  - A-1 or A-1EX on property over 5 acres where agricultural activities are present and the building is clearly related to that activity
  - A-2 where agricultural activities are present and the building is clearly related to that activity
- All buildings shall comply with maximum lot coverage.
  - Parcels less than 2 acres: The house plus all accessory buildings may cover no more than 30% of the lot (35% for corner lots).
  - Parcels 2-35 acres: The house plus all accessory buildings may cover no more than 10% of the lot.
  - Parcels more than 35 acres: No limit.
- Maximum height of accessory buildings in agricultural districts:
  - A-1 District: 16 feet (measured from ground to middle of roof).
  - A-1Exclusive: Lots less than 2 acres in size: 12 feet (measured from ground to middle of roof).
  - Accessory buildings other than listed above: 35 feet (measured from ground to middle of roof).
  - Farm buildings that are clearly used in a farm operation have no height limit.
- Setbacks: Accessory buildings, including agricultural accessory buildings and farm buildings, must maintain setbacks from side and rear lot lines:
  - Buildings that do not house livestock
    - Minimum 10 foot side and rear yard setbacks if more than 120 square feet, may be reduced to 4 feet if located behind residence and at least 10 feet away from residence.
    - Minimum 4 foot side and rear yards if 120 square feet or less
  - Buildings with livestock.
    - Parcels less than 35 acres in A-1, A-1EX, A-3 AND all A-2 & A-4 parcels: Minimum 50 feet side and rear yard setbacks;
    - Parcels with adjoining Residence (R-) districts: "Buildings, cages, kennels, hives and runs for housing of animals or insects" must maintain a minimum 100 foot setback from a (R-) Residence Zoning District Seasonal Storage in existing agricultural accessory buildings of recreational equipment and motor vehicles owned by private individuals other than those residing on the property requires a Conditional Use Permit.

### COMMERCIAL AND OTHER: A-B, B-1, LC-1, C-1, C-2, M-1, and other districts

- Multiple buildings are permitted in these districts. Except for existing non-conforming uses, all buildings are considered "principal" uses, and no accessory building regulations apply. See each district for maximum lot coverage, building heights, and minimum side and rear yards.
- For existing non-conforming uses (for example, a house that has been located in a B-1 Local Business District since before 1950), the permitted size, height and setbacks for a proposed accessory building are subject to determination by the Zoning Administrator.