



www.countyofdane.com/plandev/zoning

□ **Keeping of Chickens on residential lots**

A new ordinance has been adopted that allows up to 6 chickens to be kept in the yards of single-family residences in any zoning district. The chickens must be hens, must have a pen and a coop, and be kept at least 25 feet away from a neighboring house. The chicken coop requires a Dane County Zoning Permit at the cost of \$15. See ordinance section 10.195 for specifics. Please note that subdivision covenants may have stricter requirements, and some towns may require licenses.

□ **New Shoreland Zoning Regulations**

On September 1, 2012, new Shoreland Regulations went into effect. The regulations were updated as part of a mandate by the state to comply with NR 115 of the State Administrative Code. A Shoreland Zoning Permit is now required for any construction or land disturbing activities (including some landscaping) within 300 feet of a lake, pond, floodplain, or intermittent/perennial stream. The permit is issued by the Dane County Zoning Division. Important changes include:

- Impervious Surface Limitation – 15% of lot; up to 30% with mitigation.
- Vegetative Buffer Zone – 0 to 35 feet from shoreline – the regulations encourage preservation of existing natural vegetation or restoring it to a natural state if mitigation is required.
- Proposed development may require mitigation to offset the impact of development on the shoreline (ex: habitat restoration/stormwater management).

Planning and Development staff is willing to conduct informational seminars upon request regarding the new regulations.

Shoreland Regulation factsheets can be found at:

[Shoreland Zoning Fact Sheets](http://www.countyofdane.com/plandev/Shoreland_Zoning_Fact_Sheets.aspx)

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□ **Update of the County's Farmland Preservation Plan**

The County recently completed an update to its Farmland Preservation Plan as required by the state farmland preservation law. The update ensures county farmers can continue to receive tax credits on farmland designated within one of three certified zoning districts (A-1EX, A-4, and A-B). Among other changes, the plan establishes resource protection corridors, which correspond to areas that are not suitable for structural development due to environmental sensitivity or because of the presence of fragile, irreplaceable resources. Plan policies discourage development within regional floodplains, shoreland setback and wetland buffer areas, and other areas as identified in individual town comprehensive plans.

Farmers in Dane County who take part in the Farmland Preservation Program should be reminded to fill out a Schedule FC-A form - not Schedule FC- with their income tax return. This will allow them to claim the higher \$7.50 per acre per year tax credit.

□ **New changes to A-1 EX Agriculture, A-4 Agriculture, and A-B Agri-Business Zoning Districts**

In addition to updating the Farmland Preservation Plan, the county was also required by the state to update zoning ordinance language for its certified farmland preservation zoning districts. The changes to the A-1EX, A-4, and A-B districts incorporate elements of a "performance-based" approach to zoning, whereby goal-oriented criteria establish review parameters for proposed uses. This approach was adopted in part to satisfy state requirements that the ordinance utilize three broad use categories defined in the farmland preservation statute: Agricultural Use; Agricultural Accessory Use, and Agriculture-Related Use.

These use categories replace many of the prescribed permitted uses, and to a lesser extent conditional uses, previously listed in each district. In addition, more detailed purpose statements were added to establish appropriate parameters for the three districts. These

elements of a performance-based approach ensure that the districts are flexible enough to accommodate modern agricultural practices and changes in the agricultural economy, as well as other related uses, while also protecting rural agricultural areas from incompatible uses. For example, changes to the A-B district will now allow for a growing range of innovative agriculturally based businesses and agri-tourism such as wineries or cheese making instead of requiring a commercial zoning district for these uses.

❑ **Why does the Town get so many copies of the same zoning petition?**

The Zoning Division sends out several copies of the same zoning petition in order to comply with processing timelines and statutory notification requirements.

A rezoning application is sent out to Towns the first week after the monthly deadline (6 weeks prior to the County's public hearing). Petitioners are instructed to contact the Town to begin the Town Review process.

The Town will receive a Public Notice of the same petition via registered mail, 10 days prior to the County's public hearing to comply with statutes. This is a good reminder to make sure the Town Action Report was sent in to Dane County Zoning regarding the petition.

If the petition is amended in any way, the County Clerk is required to send a copy of the County Board's ordinance amendment to the Town so that the Town can confirm that the language is acceptable regarding the rezoning petition. The town must confirm or deny within 40 days.

If a Certified Survey Map (CSM) is associated with the rezoning petition, a copy of the preliminary CSM will be sent to the Town as a separate process.

Please contact the Zoning Division if any additional information is needed regarding a zoning petition or if assistance is needed in setting conditions for a conditional use permit.

❑ **Have a Suggestion for Improving the County Zoning Ordinance?**

The Chapter 10 Task Force is again seeking ideas and suggestions from Towns and other interested stakeholders for priority amendments to the Dane County zoning code. The Task Force is continuing work on changes to the communication tower ordinance as well as developing an amendment to

adopt the state's wind energy system siting rules. The group is also slated to review and recommend changes to the commercial zoning districts and develop an ordinance addressing confined animal feeding operations (CAFOs).

The Task Force would appreciate your recommendations for other improvements to the zoning code. Please submit your suggestions by Thursday, January 31st either using the form available on the Task Force website (<http://www.countyofdane.com/plandev/Chapter10.aspx>) or by contacting Majid Allan by email at allan@countyofdane.com. If you have questions or would like to discuss your suggestions in detail, contact Majid at 267-2536.

❑ **Need Zoning Information?**

The best way to contact Zoning Division Staff is to call (608) 266-4266. Our administrative staff will direct customers to specific individuals or agencies to quickly address their questions or concerns. The Zoning Division designates a zoning inspector to answer detailed questions the same day regarding zoning and permitting.

Need a quick reference to Zoning Districts? Use our zoning district factsheets. The factsheets summarize all the necessary information (uses, setbacks, etc) in a simplified format. They can be found at: http://www.countyofdane.com/plandev/zoning/district_fact_sheets.aspx

❑ **How do I file a Zoning Complaint?**

Zoning complaints should be directed to the County Zoning Division office. The Zoning Division's policy is to require complaints to be submitted in writing. This can be done by:

Faxing to: (608) 267-1540

Mailing to: Dane Co. Planning & Development
Attn: Zoning Division
Room 116, City-County Building
210 MLKJ Boulevard
Madison, WI 53703

Emailing to: zoning@countyofdane.com.

Complaints may be anonymous.

Should you desire updates regarding to your complaint, contact information must be provided.