

## **CHAPTER 10:            URBAN EXPANSION DISTRICT**

**"X"**

### **SECTION 1001:            PURPOSE**

To provide a district that designates areas of the County in close proximity to urban areas that are experiencing development pressures, and where urban expansion is planned in accordance with land use plans prepared and adopted by cities.

### **SECTION 1002:            PERMITTED USES**

All uses permitted in the Agricultural (A) District are permitted uses in this district with the following exceptions;

1.     New feed lots and/or the expansion of an existing feed lot shall be prohibited.
2.     Meteorological Towers are prohibited

### **SECTION 1003:            CONDITIONAL USES**

All uses allowed through the issuance of a conditional use permit in the Agricultural (A) District shall also be allowed in this district with the following exceptions, which shall be prohibited;

1.     New feed lots and/or the expansion of an existing feed lot;
2.     Land treatment sites for the application of contaminated soils.
3.     WECS exceeding a total generating nameplate capacity of 1kW.

### **SECTION 1004:            INTERIM USES**

All uses allowed through the issuance of an Interim Use Permit in the Agricultural (A) District shall also be allowed in this district with the following exceptions, which shall be prohibited;

1.     Temporary asphalt hot-mix plants or concrete plants utilized for specific road projects located within Dodge County
2.     Quarrying operations, sand and gravel extraction, or other mineral or material excavation activities with exceed 50 cubic yards in total, (see section 1618 for additional standards applying to this use.)

3. Meteorological Towers

**SECTION 1005: PERFORMANCE STANDARDS**

1. Special Setbacks

- a. FROM FEEDLOTS (Amended 6/9/09) All new dwellings (except dwelling of feedlot owner or operator), golf courses, churches, public buildings, public assembly areas, licensed daycare facility and any facility with public water supply well shall be setback one thousand feet (1000') from an existing registered animal feedlot of 30 animals units or more.
- b. FROM WECS (Amended 10/13/09). The setback for all new dwellings from existing Micro- WECS shall be reciprocal and in accordance with the specific performance standards of Chapter 21

2. Lot Area Requirements

- a. lot area required shall be a minimum of thirty five (35) acres, all contained in the same quarter-quarter section of land.

3. Lot Width Requirements

- a. one of the lot dimensions shall be one quarter mile;

4. Height Requirements

- a. agricultural buildings are exempt from height limitations unless they are located within an airport zone;
- b. non-agricultural structures shall not exceed a height of thirty five (35) feet.
- c. Micro-WECS permitted under a Conditional Use Permit are exempt from the height requirements.

5. Front Yard Requirements

- a. there shall be a front yard setback of not less than 50 feet from the right of way line;

6. Side Yard Requirements

- a. there shall be a minimum building setback of 25 feet from

the side yard property line.

7. Rear Yard Requirements

- a. there shall be a minimum building setback of 25 feet from the rear yard property line.

8. Tree and/or Shrub Planting Regulations

- a. deciduous and coniferous trees that reach a mature height of twenty five (25') feet or more shall be setback a minimum of twenty five (25') feet from road rights-of-way and all property lines;
- b. all other trees and shrubs shall be setback a minimum of fifteen (15') feet from road rights-of-way and all property lines.

9. Access Drive Regulations

- a. access drives, if providing access to lots not fronting a public road, shall be thirty three (33') feet in width;
- b. access drives, serving two or three residences, shall:
  - i. be sixty six (66') feet in width;
  - ii. provide a twenty four (24') foot driving surface;
  - iii. provide an adequate turnaround area for emergency and public service vehicles; and
  - iv. provide a graveled or better driving surface;
- c. maintenance of access drives shall be the responsibility of the home owner(s) for which the access road is built to serve;
- d. access drives shall not serve more than three residences;
- e. see section 1604 for additional requirements.

10. General Requirements

- a. variance exception: if a building addition does not further encroach upon a public road setback, no variance will be required;

- b. additional requirements for signs, parking, and other uses are set forth in Section 16.

**SECTION 1006: REZONING TO URBAN EXPANSION RESIDENTIAL  
(Amended 2003)**

Land within the Urban Expansion District and Orderly Annexation Areas must be rezoned to "Urban Expansion Residential" prior to submitting a subdivision plat. When considering a rezoning request, the County must consider if the area can reasonably accomplish the Sustainable Design Principles outlined in the County's Comprehensive Plan. Therefore, a plat may be considered for rezoning if it meets all of the following conditions:

1. The Plat is compatible with the City and County Comprehensive Plans.
2. The City and Township have provided a written statement of review and comment, including any issues or concerns, and an overall assessment of the rezoning.
3. Access and roadways must meet the criteria set forth in Section 2006 of the Subdivision Regulations.
4. A setback of one thousand (1,000) feet is required from the nearest boundary of a subdivision permitted under Section 20 of this Ordinance to a registered feedlot of thirty (30) animal units or more. (Amended 6/9/09)