

ORDINANCE 2018-01
AN ORDINANCE TO ESTABLISH STANDARDS FOR RH-1 ZONED PROPERTIES
TO DISTINGUISH THEM FROM OTHER RESIDENTIAL PROPERTIES IN THE
VILLAGE OF MCFARLAND

Purpose: Recent annexations have added to the Village a number of previously developed residential properties formerly under Dane County Zoning. Because these single-family properties were developed without being in the Village, the Village building and subdivision standards currently in effect require revision. This Ordinance revises numerous Village ordinances for this purpose.

Sponsor: Community Development Director Boness

Recommended Referral: Plan Commission (Required)

Public Hearing: Required; Preceded by Class 2 Notice

The Village Board of the Village of McFarland does hereby ordain as follows:

1. Section 5-34(b) of the McFarland Municipal Code is hereby amended to read as follows:

"(b) *Number limited.* No person shall own, harbor or keep in his or her possession more than three dogs and three cats, nor shall more than three dogs and three cats be owned, harbored or kept on any urban residentially ~~zoned lot~~ district except that a litter of pups or kittens or a portion of a litter may be kept for not more than 12 weeks from birth. If a residential lot contains more than one dwelling unit, then only a total of three dogs and three cats shall be allowed in each dwelling unit."

2. Section 8-52(a) of the McFarland Municipal Code is hereby amended to read as follows:

"(a) *Residential buildings.* Unless an exception is granted by the Village Board, ~~No~~ building permit shall be issued for the construction of any residential building until public sewer and water are installed in the streets necessary to service the property for which the permit is required."

3. Section 8-52(b) of the McFarland Municipal Code is hereby amended to read as follows:

"(b) *Nonresidential buildings.* Unless an exception is granted by the Village Board, ~~No~~ building permit shall be issued for the construction of any building other than residential until contracts have been let for the installation of sewer, water,

grading and graveling in the streets necessary to service the property for which the permit is requested."

4. Section 8-369(a)(2) of the McFarland Municipal Code is hereby amended to read as follows:

"(2) A-1, RH-1 Zoned properties with livestock and Nonresidential districts. Acceptable materials for constructing fencing include wood, plastic, stone, brick, wrought iron, and chainlink. Barbed wire fencing is permitted on security fences at heights equal to ten feet and projecting toward the fenced property and away from any public area."

5. Section 8-369(c) (introduction) of the McFarland Municipal Code is hereby amended to read as follows:

"(c) *Maximum height.* The maximum height of any fence in an urban residential district shall be the following:"

6. Section 8-369(cr) of the McFarland Municipal Code is hereby created to read as follows:

"(r) *Maximum height in A-1, RH-1 or commercially zoned districts.* The maximum height of any fence in these districts shall be the following:"

7. Section 8-369(c)(4) is hereby renumbered as Section 8-369(cr)(1) and amended to read as follows:

"(1) Eight feet ~~when located on any nonresidentially zoned property~~, except that security fences may not exceed ten feet in height and shall be of an open type similar to woven wire or chainlink. Residential uses allowed in the C-G zoning district shall comply with the standards of Section 8-369(c) of this code."

8. Section 8-555(b)(1) of the McFarland Municipal Code is hereby amended to read as follows:

"(b) *Vehicle parking.*

(1) The following number of vehicles (including, but not limited to, cars, motorcycles, trucks 12,000 lbs. or less, trailers, recreational vehicles, all-terrain vehicles, boats, water-craft, race cars, tractors, and vans) are allowed parked outside for the particular categories of residential property identified:

- a. Four vehicles per detached single-family residence;
- b. Three vehicles per dwelling unit for two-family detached dwellings;

- c. Two vehicles per dwelling unit for properties on which three or more dwelling units exist;
- d. In the RH-1 zoning district the number of vehicles listed under Section 8-555(b)(1) a and b shall not be limited provided they are owned by a person residing on the premises; and
- e. Farm tractors, trailers or trucks licensed under Wis. Stats. §§341.25(3) or 341.30 may be parked or stored within the A-1 or RH-1 districts no closer than 300 feet to a residence and shall be owned or operated by a person residing on the property."

9. Section 8-555(b)(2) of the McFarland Municipal Code is hereby amended to read as follows:

"(2) When parked in the front or side yard areas of all lots in urban residential districts, the vehicles must be placed on a hard-surfaced or graveled pad or driveway and parked perpendicular to the curb. Distance from property lines shall be no less than three feet."

10. Section 8-555(b)(3) (Introduction) of the McFarland Municipal Code is hereby amended to read as follows:

"(3) In urban residential districts, ~~All~~ vehicles other than motor vehicles used for ordinary transportation shall be stored indoors or in the rear or side yard unless:"

11. Section 8-555(b)(5) of the McFarland Municipal Code is hereby created to read as follows:

"(5) Notwithstanding the above, a recreational vehicle may be parked anywhere on the premises during active loading or unloading, and the use of electricity or propane fuel is permitted when necessary to prepare a vehicle for use."

12. Section 8-555(b)(6) of the McFarland Municipal Code is hereby created to read as follows:

"(6) Parking or storage of a commercial truck, tractor, or trailer on any urban residential lot see Section 35-159(b)."

13. Section 20-26(b) of the McFarland Municipal Code is hereby amended to read as follows:

"(b) *Public nuisance declared.* The Village Board finds that lawns, grasses, or weeds on lots or parcels of land that exceed eight inches at length adversely affect the public health and safety of the public in that they tend to emit pollen and other discomfoting bits of plants, constitute a fire hazard and safety hazard in that

debris can be hidden in the grass, interferes with the public convenience and adversely affects property values of other land within the Village. For that reason, any lawn, grass, or weed on a lot or other parcel of land which exceeds eight inches in length is hereby declared to be a public nuisance, except for property located in a designated floodplain area and/or wetland area, or where the land is zoned ~~agricultural~~ A-1 Agriculture – Transition or RH-1 Rural Home Districts."

14. Section 20-77(a) of the McFarland Municipal Code is hereby amended to read as follows:

"(a) Noise from a stationary source shall not exceed the following standards for maximum sound pressure levels measured at the property line.

<i>Zone</i>	<i>Noise Rating</i>	
	<i>Daytime</i>	<i>Nighttime</i>
<u>Urban Residential</u>	60 dB	50 dB
Commercial	70 dB	70 dB
All other zones	75 dB	75 dB"

15. Section 35-159(b) of the McFarland Municipal Code is hereby amended to read as follows:

"(b) *Storage of truck tractors and road machinery on private property.* No person, firm or corporation shall park, keep or maintain on property in an urban residential district ~~zoned~~ for residential use the following types of vehicles: trucks, truck tractors, tractor-trailers, semi-tractors, dump trucks, auto wreckers and road machinery in excess of 12,000 pounds gross weight, or over 18 feet in length, or having an enclosed area of a height of more than eight feet. Said vehicles may not be kept or parked on said premises whether or not they are in enclosed buildings, except temporarily for the purposes of unloading or servicing the premises."

16. Chapter 53, Article IX, Division 4 (title) of the McFarland Municipal Code is hereby amended to read as follows:

"DIVISION 4. - SPECIAL REQUIREMENTS FOR AGRICULTURAL, RURAL HOME, COMMERCIAL AND INDUSTRIAL DRIVEWAYS"

17. Chapter 53, Article IX, Division 5 (title) of the McFarland Municipal Code is hereby amended to read as follows:

"DIVISION 5. - SPECIAL REQUIREMENTS FOR ~~RESIDENTIAL~~ URBAN RESIDENTIAL ZONED DRIVEWAYS"

18. Section 53-576 of the McFarland Municipal Code is hereby amended to read as follows:

"Openings for vehicular ingress and egress for urban residential district properties shall be at least ten feet wide at the property line, but shall not exceed 24 feet at the property line, with a maximum of 30 feet at the curb opening."

19. Section 56-109(c) of the McFarland Municipal Code is hereby amended to read as follows:

"(c) Subdivisions and Certified Survey Map parcels shall be served by public sewer facilities unless a variance allowing a private on-site waste disposal system is approved by the Village Board under Article VII of this Chapter. The size, type, and installation of all sanitary sewers proposed to be constructed shall be in accordance with plans and specifications approved by the Village. No land shall be subdivided for residential use where individual lift stations are required for connection to public sewer or where on-site sewage disposal systems are required for the disposal of wastewater, except that on-site sewage disposal systems will be permitted in the extraterritorial area where land is being divided for the construction of housing for members of families of active farmers or for employees of active farmers."

The above and foregoing Ordinance was duly adopted at a regular meeting of the McFarland Village Board on the _____ day of _____, 2018.

APPROVED:

Brad Czebotar, Village President

ATTEST:

Cassandra Suettinger, Village Clerk-Treasurer

ORDINANCE 2018 -01	
MOTION	SECOND
ACTION	DATE
Adopted	
Referred	
Tabled	
Withdrawn	
Defeated	
Published	
INDIVIDUAL VOTING RECORD	
Adrian	Kolk
Brassington	Lytle
Clow	O'Hearn
Czebotar	
VOTING RESULTS	
Motion Carried:	
Motion Defeated:	