

1 **Ordinance No. ____**

2 **Amending Chapter 13 of the Dunn County Code of Ordinances to include provisions**
3 **allowing for the construction of Accessory Dwelling Units in certain zoning districts.**

4
5 The Board of Supervisors of the County of Dunn does hereby ordain as follows:

6
7 **Section 1.** The following amendments to the Dunn County Comprehensive Zoning Ordinance, Chapter 13 of the Dunn County Code of Ordinances are hereby adopted:

8
9 **Section 13.2.3.02(a) is amended to read as follows:**

10 (a) ~~Single family housing~~ Single-family dwelling.

11
12 **Section 13.2.3.05 is amended to read as follows:**

13 **13.2.3.05 Permitted Accessory Structures:** Those structures necessary to house the accessory
14 uses. Permits must be issued for a permitted principal structure (13.2.3.03) before permits will be
15 issued for accessory structures. Accessory structures shall not be designed or used in part or
16 whole for human habitation or any unauthorized accessory use: unless properly permitted.

17
18 **Section 13.2.4.04 is amended to read as follows:**

19 **13.2.4.04 Permitted Accessory Uses:** ~~Those permitted accessory uses found in the Residential
20 (R1) district~~

21
22 **Section 13.2.4.02(c) is created to read as follows:**

23 (c) Attached Accessory Dwelling Unit pursuant to Section 13.3.17

24
25 **Section 13.2.4.04(a) is created to read as follows:**

26 (a) Home occupations and professional offices as per Section 13.3.3

27
28 **Section 13.2.4.04(b) is created to read as follows:**

29 (b) Private recreational uses including but not limited to swimming, tennis, horticulture and
playground activities.

30 **Section 13.2.4.04(c) is created to read as follows:**

31 (c) Bed and breakfast establishments pursuant to Chapter 254.61 Wis. Stats

32

33 **Section 13.2.4.04(d) is created to read as follows:**

34 (d) Crop farming on un-improved lots.

35

36 **Section 13.2.4.04(e) is created to read as follows:**

37 (e) Detached Accessory Dwelling Unit pursuant to Section 13.3.17

38

39 **Section 13.2.4.05 is amended to read as follows:**

40 13.2.4.05 Permitted Accessory Structures: Those structures necessary to house the accessory
41 uses. Permits must be issued for a permitted principal structure (13.2.4.03) before permits will be
42 issued for accessory structures. Accessory structures shall not be designed or used in part or
43 whole for human habitation or any unauthorized accessory use- unless properly permitted.

44

45 **Section 13.2.5.05 is amended to read as follows:**

46 Those structures necessary to house the permitted accessory uses. Permits must be issued for a
47 permitted principal structure before permits will be issued for an accessory structure. Accessory
48 structures shall not be designed or used in part or whole for human habitation or any unauthorized
49 accessory use-unless properly permitted.

50

51 **13.2.8.02(h) is amended to read as follows:**

52 (h) ~~Single-family housing~~ Single-family dwelling (02/18/2015)

53

54 **13.2.8.02(k) is created to read as follows:**

55 (k) Attached Accessory Dwelling Unit (AADU) pursuant to Section 13.3.17

56

57 **13.2.8.04(e) is created to read as follows:**

58 (e) Detached Accessory Dwelling Unit (ADU) pursuant to Section 13.3.17

59

60 **13.2.8.05 is amended to read as follows:**

61 **13.2.8.05 Permitted Accessory Structures:** Those structures necessary to house the accessory
62 uses. Permits must be issued for a permitted principal structure (13.2.8.03) before permits will be
63 issued for accessory structures. Accessory structures shall not be designed or used in part or
64 whole for human habitation or any unauthorized accessory use unless properly permitted.

65

66 **13.3.17 is created to read as follows:**

67 **13.3.17 Supplementary Use Regulations: Accessory Dwelling Units**

68

69 **13.3.17.01 is created to read as follows:**

70 **13.3.17.01 Purpose and Intent.** To allow more efficient use of existing housing stock and
71 infrastructure; providing a broader range of housing opportunities that responds to changing
72 family needs; and offering a means for residents to remain in their homes and neighborhoods and
73 obtain security, services, and companionship.

74

75 **13.3.17.02 is created to read as follows:**

76 **13.3.17.02 Applicability.** No more than one ADU is permitted per lot or parcel.

77

78 **13.3.17.03 is created to read as follows:**

79 **13.3.17.03 Definitions.** As used in this section, the following terms have the meanings as defined
80 in 13.7.0 and repeated here for reference:

81

82 **13.3.17.03(a) is created to read as follows:**

83 **(a) Accessory Dwelling Unit (ADU):** An additional single-family dwelling unit that is
84 subordinate in size to a single-family dwelling, and located on the same parcel as a single-family
85 dwelling. It provides independent living facilities for one or more persons. For the purposes of
86 this ordinance, the terms “Accessory Dwelling Unit” or “ADU” encompass all three subtypes.
87 The subtypes are as follows:

88

89 **13.3.17.03(a)1. is created to read as follows:**

90 **1. Attached (AADU):** Physically connected to the principal single-family dwelling, sharing at
91 least one common wall and being structurally interdependent.

92

93 **13.3.17.03(a)2. is created to read as follows:**

94 **2. Detached (DADU):** A standalone residential unit located on the same parcel or lot but separate
95 from the principal single-family dwelling, serving as an accessory structure to the primary
96 dwelling.

97

98 **13.3.17.03(a)3. is created to read as follows:**

99 **3. Junior (JADU):** An ADU which may be no more than 600 square feet in size, which may be
100 detached or attached to another structure.

101

102 **13.3.17.03(b) is created to read as follows:**

103 **(b) Addition:** New construction performed on a dwelling which increases the outside
104 dimensions of the dwelling.

105

106 **13.3.17.03(c) is created to read as follows:**

107 **(c) Detached Building:** Any building which is not physically connected to the dwelling.

108

109 **13.3.17.03(d) is created to read as follows:**

110 **(d) Primary Dwelling:** The principal single-family dwelling on a lot or parcel, serving as the
111 primary and dominant residence. The primary dwelling is larger in size compared to any
112 accessory dwelling units (ADUs) on the same lot or parcel. It is the main residential structure
113 where the property owner or primary resident resides.

114

115 **13.3.17.03(e) is created to read as follows:**

116 **(e) Secondary Dwelling:** A residential structure on a property that is subordinate in size to the
117 primary dwelling. A secondary dwelling may include accessory dwelling units (ADUs) or other
118 additional residential structures permitted by local zoning regulations. The secondary dwelling is
119 characterized by its supportive role to the primary dwelling and may house additional occupants
120 while conforming to the zoning standards applicable to such structures.

121

122 **13.3.17.04 is created to read as follows:**

123 **13.3.17.04 Permits.** Zoning permits are required for Accessory Dwelling Units subject to the
124 provisions of the Ch. 13 Comprehensive Zoning Ordinance and approval by the Zoning
125 Administrator.

126

127 **13.3.17.04(a) is created to read as follows:**

128 (a) Approval Process. No more than one ADU is permitted per lot or parcel, provided the
129 Zoning Administrator first approves the proposed ADU as complying with the standards of
130 Section 13.3.17.

131

132 **13.3.17.04(b) is created to read as follows:**

133 (b) Application Fees. Fees required for ADUs shall be equivalent to those required to construct a
134 single-family dwelling unit in the zoning district in which they are located.

135

136 **13.3.17.05 is created to read as follows:**

137 13.3.17.05 Standards. The following standards must be met in order to establish an accessory
138 dwelling unit:

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140 **13.3.17.05(a) is created to read as follows:**

141 (a) Development. ADUs must adhere to the development standards applicable to principal
142 structures in the respective zoning district. This includes setbacks, setback reduction, lot
143 coverage, and height regulations.

144

145 **13.3.17.05(b) is created to read as follows:**

146 (b) Construction Timing and Design. ADUs may be constructed concurrently with, before, or
147 after a principal single-family dwelling. The design and placement of the ADU should not hinder
148 the construction of the primary single-family dwelling in accordance with established regulations.

149

150 **13.3.17.05(c) is created to read as follows:**

151 (c) Prohibition on Two-Family or Multi-Family Dwellings. ADUs may not be constructed on
152 the same lot or parcel as a two-family dwelling or multi-family dwelling.

153

154 **13.3.17.05(d) is created to read as follows:**

155 (d) Square Footage Measurements. For the purpose of determining the total square footage of
156 the primary and secondary dwelling shall be made along the exterior walls of the structures,
157 encompassing all habitable areas within the exterior perimeter of each dwelling unit, including
158 any attached enclosed spaces such as porches or sunrooms. Measurements shall be taken from the
159 exterior surface of the outermost walls, excluding any projections beyond the exterior wall
160 surface such as eaves or bay windows.

161

162 **13.3.17.05(e) is created to read as follows:**

163 (e) Size Limitations. ADUs must be of a size subordinate to the primary single-family dwelling
164 in all cases. In no case shall the ADU be greater than twelve-hundred (1200) square feet.

165

166 **13.3.17.05(f) is created to read as follows:**

167 (f) Distance Requirement. The distance between the primary single-family dwelling and the
168 ADU must not exceed 300 linear feet.

169

170 **13.3.17.05(g) is created to read as follows:**

171 (g) Wastewater Disposal. Domestic wastewater disposal must comply with sewage system
172 requirements, unless exempted by the State or Dunn County’s Sanitation Ordinance. The zoning
173 administrator may require the applicant to demonstrate the adequacy of the system for the
174 proposed structure and anticipated number of bedrooms.

175

176 **13.3.17.05(h) is created to read as follows:**

177 (h) Lot Area. For lots with an area less than 1 acre, the applicant may be required to demonstrate
178 to the satisfaction of the Environmental Services Department that the lot has sufficient area for
179 accommodating the proposed ADU while maintaining compliance with setback regulations and
180 facilitating the installation or modification of the entire onsite wastewater treatment system,
181 including provisions for potential replacement. The Environmental Services Department reserves
182 the authority to request a comprehensive report inclusive of soil borings and percolation tests as
183 stipulated by Wisconsin Administrative Code, as part of the application review process.

184

185 **13.3.17.05(i) is created to read as follows:**

186 (i) Building Code Compliance. ADUs must comply with all relevant building codes and safety
187 regulations applicable to habitable structures.

188

189 **13.3.17.05(j) is created to read as follows:**

190 (j) Sale Restrictions. The separate sale of the ADU shall not occur unless that portion of the
191 subject property is legally subdivided in accordance with Dunn County’s Chapter 16 Land
192 Division, Condominium, and Surveying Regulations.

193

194 **13.3.17.05(k) is created to read as follows:**

195 (k) Deed Restriction. Prior to zoning permit issuance, the property owner must record a deed
196 restriction that:

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198 **13.3.17.05(k)1. is created to read as follows:**

199 1. Prohibits the separate sale of the ADU unless the subject property is legally subdivided
200 according to Dunn County’s Chapter 16 Land Division, Condominium, and Surveying
201 Regulations.

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203 **13.3.17.05(k)2. is created to read as follows:**

204 2. Prohibits the conversion of the property to a condominium.

205

206 **13.3.17.05(l) is created to read as follows:**

207 (l) **Compatibility With Other Ordinance Sections.** Where identified as a Permitted Principal
208 Use, Accessory Dwelling Units may be constructed on parcels in addition to other Principal Uses
209 and Structures without violating 13.2.2(b).

210

211 **13.7.0 (“Definitions”) is amended to include the following terms and their definitions. These will be**
212 **incorporated into the ordinance consistent with the now-existing alphabetical order:**

213 **Accessory Dwelling Unit (ADU):** An additional single-family dwelling unit that is subordinate in
214 size to a single-family dwelling, and located on the same parcel as a single-family dwelling. It
215 provides independent living facilities for one or more persons. For the purposes of this ordinance,
216 the terms “Accessory Dwelling Unit” or “ADU” encompass all three subtypes. The subtypes are
217 as follows:

- 218 (a) **Attached (AADU):** Physically connected to the principal single-family dwelling,
219 sharing at least one common wall and being structurally interdependent.
- 220 (b) **Detached (DADU):** A standalone residential unit located on the same parcel or
221 lot but separate from the principal single-family dwelling, serving as an
222 accessory structure to the primary dwelling.
- 223 (c) **Junior (JADU):** An ADU which may be no more than 600 square feet in size,
224 which may be detached or attached to another structure.

225

226 **Addition:** New construction performed on a dwelling which increases the outside dimensions of
227 the dwelling.

228

229 **Detached Building:** Any building which is not physically connected to the dwelling.

230

231 **Primary Dwelling:** The principal single-family dwelling on a lot or parcel, serving as the
232 primary and dominant residence. The primary dwelling is larger in size compared to any
233 accessory dwelling units (ADUs) on the same lot or parcel. It is the main residential structure
234 where the property owner or primary resident resides.

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Secondary Dwelling: A residential structure on a property that is subordinate in size to the primary dwelling. A secondary dwelling may include accessory dwelling units (ADUs) or other additional residential structures permitted by local zoning regulations. The secondary dwelling is characterized by its supportive role to the primary dwelling and may house additional occupants while conforming to the zoning standards applicable to such structures.

Section 2. This Ordinance shall become effective upon adoption and publication as required by law. (This section shall not be codified.)

Dated this ____ day of ____, 2024, at Menomonie, Wisconsin.

Enacted on: _____

OFFERED BY THE PLANNING, RESOURCES
AND DEVELOPMENT COMMITTEE:

Published on: _____

_____, Chair

ATTEST:

_____, County Clerk

COUNTERSIGNED:

Approved as to Form and Execution:

Nicholas P. Lange, Corporation Counsel

_____, Chair
Dunn County Board of Supervisors

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