

Dane County Comprehensive Plan Update 2013-2014  
Resource Protection Corridors -- Public Comment Received

DRAFT: 4/14/2014

ID #	Category	Commenter	Date	Comment	Staff Advice
1	General	League of Women Voters, Phyllis Hasbrouck, Don Hammes, CRANES, Harry Reid	18-Mar-14	Generally support	<b>No changes necessary.</b>
		Elliot Long	18-Mar-14	Enhanced corridors can enhance property values.	
2	County vs. town authority	Duane Hoffman	18-Mar-14	Opposed. Concerned about "slippery slope" of county regulation.	<b>Clarify.</b> Consider comprehensive plan language that more clearly ties resource protection corridor identification to county's existing statutory responsibilities related to surface water resources.
		Tom Schlicht	18-Mar-14	Feels Town of Black Earth already does good job and does not need county oversight.	
		Dan Berringer	18-Mar-14	Consider making proposed additions to corridors advisory rather than mandatory.	<b>Do not accept.</b> While advisory or model plan language may be appropriate for other land use issues, the regional nature of water resources lends itself to a consistent, countywide, policy. Water flows across municipal and town boundaries, and what happens upstream affects those downstream. A town by town approach would likely provide incomplete and environmentally inadequate protection. This is also consistent with other county efforts and responsibilities related to surface water resources under the Public Trust Doctrine, such as shoreland, wetland and floodplain zoning and stormwater and erosion control standards.
3	Documentation.	Madison Area Surveyors' Council	12-Mar-14	Consider providing an alternate recorded document, other than a certified survey map, to notify potential landowners of the presence and approximate location of resource protection corridor boundaries on a lot.	<b>Accept.</b> Develop a standard site plan map that would be attached to a deed restriction and recorded as a condition of a rezone. Work with ZLR to amend the ZLR rules to require recording of such a document whenever new lots contain resource protection corridors.
4	Density policies	Town of Mazomanie	10-Mar-14	"Our plan makes no distinction between buildable and non-buildable land when applying the rules regarding splits. If a farmer owns 1,000 acres but 500 acres have hydric soils and 200 acres have slope issues, the farmer in question, according to the Town Comprehensive Plan, would have 25 splits. If the Resource Protection map is passed will there be a guarantee that it will not change the manner in which splits are figured?"	<b>Accept.</b> Consider clarifying language in Resource Protection Corridor policies to make clear that focus is on siting, not total development potential. Continue to defer to adopted density policies in town/county plans to determine total development potential.
	Floodplain (0..2% / 500 -year)	Town of Mazomanie	10-Mar-14	"The 100-year floodplain seems more than adequate to protect any development from flooding and it is our view that the risk associated with the 500-year floodplain (0.2% per year) is insignificant. To declare a no-build policy on such property seems overly cautious."	<b>Modify.</b> Consider removing 0.2% floodplains from maps for properties already zoned for development and with no redivision opportunities. Clarify language regarding exemptions for existing development and for redevelopment / reuse of existing structures. A 0.2% chance of flooding in any given year may seem like a low risk, but there is evidence to suggest that historic data may no longer be a good predictor of flood severity or frequency. Cumulative risk over a thirty-year mortgage for a structure in the 0.2% floodplain would be 6% based on historic data, but could rise to as high as 10% to 12% if anticipated increases in rainfall events occur. If limited to new development, avoiding such areas would seem prudent. See also p. 4.36 and 4.37 Dane County Natural Hazard Mitigation Plan. <a href="http://danedocs.countyofdane.com/webdocs/PDF/ems/mitigation_plan/Dane%20County%20Chapter%204%20Risk%20Assessment.pdf">http://danedocs.countyofdane.com/webdocs/PDF/ems/mitigation_plan/Dane%20County%20Chapter%204%20Risk%20Assessment.pdf</a>
5	Hydric soils.	Realtors Ass'n of SC WI	1-Feb-14	"Allow development of driveways and other access corridors across areas of hydric soils, if properly mitigated." "Insure that mitigation standards for those wishing to develop on regulated sites are clear, reasonable and cost effective."	<b>Accept.</b> Consider allowing for limited incursions onto areas of hydric soils or 500-year floodplain to access a building site outside resource protection corridors, if stormwater permit is obtained and all structures and practices are designed and floodproofed to the 500-year flood elevation.
6	Hydric soils.	Realtors Ass'n of SC WI	1-Feb-14	"Allow development at sites with small areas of hydric soils under a to-be-determined size."	<b>No changes necessary.</b> Areas shown as a mix of hydric and non-hydric soils, or artificially inundated areas, are unlikely to fall within the "100% hydric" NRCS soil survey classification used to map proposed Resource Protection Corridor boundaries. On-site soil determinations that showed a mix of hydric and non-hydric soils would also exempt the site and would allow for appropriate map corrections.
		Town of Berry	7-Mar-14	"Some hydric soils are created by manmade soil disturbances, and really do not warrant protection of any sort."	
		Town of Mazomanie	10-Mar-14	"However delineating this soil type on the map disregards the variation in hydric soils. While some are inherently and always difficult to build on, others are fine."	
7	Hydric soils.	Town of Mazomanie	10-Mar-14	"While it has been noted that the proposed map applies only to NEW development, we have the certain knowledge that people who currently live on properties with this soil type, may, at some future date, (due to unfortunate circumstance, or personal prerogative) want to re-develop their land."	<b>Modify.</b> Consider removing hydric soils from maps for properties already zoned for development and with no redivision opportunities. Clarify language regarding exemptions for existing development and for redevelopment / reuse of existing structures.

8	Hydric soils.	Town of Berry	7-Mar-14	"If the reason for including hydric soils in Resource Protection Corridors is for the purpose of avoiding flooding..."	<b>Clarify.</b> Clarify that the purpose of protecting hydric soils is to maintain the potential for future wetland restoration, and not necessarily because such areas are themselves at high risk of flooding. Wetland restoration is widely regarded as a key strategy for retaining potential floodwaters and for sustainability and resilience under flooded conditions. Hydric areas that are outside the floodplain still contribute to mitigation of flood impacts, by holding water that would otherwise runoff into flood channels.
9	Mapping and technical information	Madison Area Surveyors' Council	12-Mar-14	Provide detailed information about how to field-verify or contest mapped resource protection corridor information as shown in adopted plan maps.	<b>Accept.</b> Consider adopting a technical appendix to the plan with information about soil identification, flood elevation surveys, LOMA/LOMR, navigability determinations, slope calculations and wetland delineations. Include technical references and description of process for review.
10	Mapping and technical information	Robin Lager, Larry Burcalow	18-Mar-14	Provide breakdown of acres associated with each category of proposed change (i.e., hydric soils, 0.2% floodplain)	<b>Accept.</b> Include revised background data in next round for public comment.
11	Mapping and technical information	Robin Lager	18-Mar-14	Provide breakdown of historic property damage associated with flood events by type of damage.	<b>Accept.</b> Include revised background data in next round for public comment.
12	Mapping and technical information	Don Hoffman	18-Mar-14	Include proposed public lands on draft Resource Protection Corridor maps for public review	<b>Accept.</b> Include revised maps in next round for public comment.
13	Mapping and technical information	Larry Burcalow	18-Mar-14	Revise maps to show "before" and "after" for each town.	<b>Accept.</b> Include revised maps in next round for public comment.
14	Public notification and input.	Realtors Ass'n of SC WI	1-Feb-14	"Provide notification to property owners of changes that impact the use of their property."	<b>Accept / Modify.</b> See if other proposed amendments change the number of landowners who would be affected before notifying.
		Town of Berry	7-Mar-14	"We believe that broader, more general notification may help to alert property owners to possible future restrictions on use of their properties."	
		Robin Lager, Cindy Bang, Don Hoffman, Tim Roehl	18-Mar-14	Should notify all affected landowners.	
15	Public notification and input.	Town of Mazomanie	10-Mar-14	"Encourage Dane County to hold a special local public hearing here.."	<b>Accept / Modify.</b> Consider holding additional public information meetings and/or hearings, in northwest Dane County, if not in the Town of Mazomanie itself.
16	Public notification and input.	Town of Mazomanie	10-Mar-14	"Originally we were told that only 20 parcels in the Town would be affected by the increased scope of the map. This seems hard to believe since almost everyone on our board and plan commission can see that they, personally, would be affected, on some portion of their property."	<b>No changes necessary.</b> List of all landowners with any change to Resource Protection Corridor boundaries already provided to town. Provide updated list if maps are amended.
17	Steep slopes.	Madison Area Surveyors' Council, Larry Burcalow	12-Mar-14	Consider exempting areas of steep slopes below a certain threshold, or associated with features like artificial berms, from plan maps, to more accurately reflect areas intended to be regulated.	<b>Accept.</b>
18	Steep slopes.	Town of Mazomanie	10-Mar-14	"While currently our land plan restricts construction of structures on slopes greater than 12%, it is the feeling of the members of the Town Board and Plan Commission that there should be no slope specific requirements but that we might offer guidelines and be open to residents responding to the challenge of protecting slopes via technology."	<b>No changes necessary at this time.</b> Making this change will depend on future amendments to the Town of Mazomanie / Dane County Comprehensive Plan with respect to development on slopes exceeding 20%. Provide model plan language from other towns that specifically allow development on such slopes to Town of Mazomanie.