
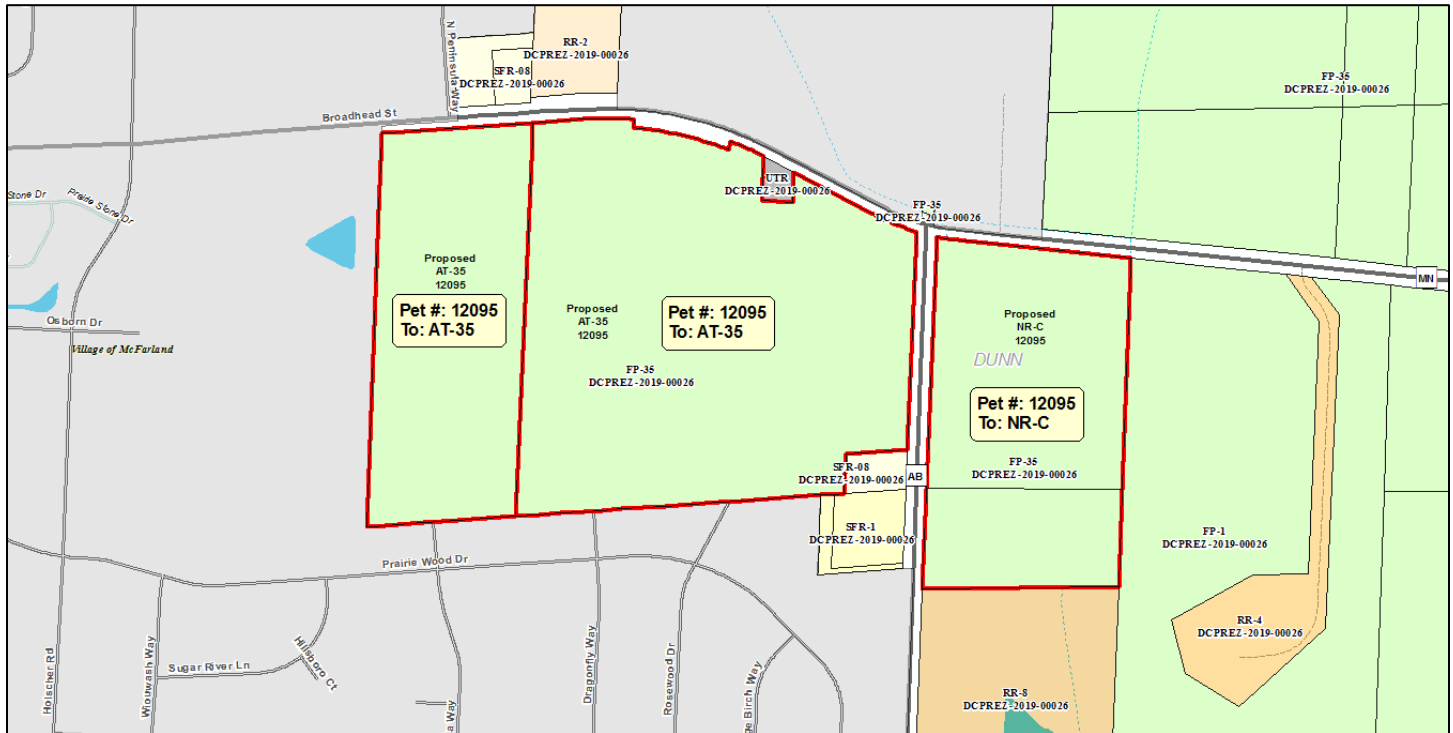


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> September 24, 2024 Report updated for the December 17, 2024 ZLR meeting		Petition 12095
	<u>Zoning Amendment Requested:</u> FP-35 Farmland Preservation District TO AT-35 Agriculture Transition District, NR-C Natural Resource Conservation DistrictFP-1 Farmland Preservation District, and UTR Utility, Transportation, and Right of Way District		<u>Town, Section:</u> DUNN, Section 2
	<u>Size:</u> 45.88 Acres	<u>Survey Required:</u> No	<u>Applicant:</u> Town of Dunn
	<u>Reason for the request:</u> TOWN-INITIATED BLANKET REZONE OF PROPERTIES FOR CONSISTENCY WITH THE DANE COUNTY FARMLAND PRESERVATION PLAN AND S. 91.38, WISCONSIN STATUTES.		<u>Address:</u> MULTIPLE (SEE ATTACHED LIST)



DESCRIPTION: As part of the decennial state recertification of Dane County's farmland preservation zoning ordinance, the county and participating towns need to make sure county zoning maps comply with s. 91.38, Wis. Stats. This section of statute prohibits farmland preservation zoning in places not also mapped for farmland preservation in the county *Farmland Preservation Plan*. Petition 12095 cleans up such inconsistencies in the Town of Dunn zoning map for four tax parcels that are planned for something other than long term farmland preservation (ag transition, resource protection).

OBSERVATIONS: Petition 12095 would rezone a total of 5 tax parcels affecting just two owners:

- Two tax parcels totaling approximately 46 acres from FP-35 to AT-35. These two tax parcels are within the town's agricultural transition area adjacent to the village of McFarland.
- Two tax parcels totaling approximately 18 acres from FP-35 to ~~NR-C~~FP-1. These two tax parcels lying east of CTH AB are almost entirely within mapped wetlands. The **previously** proposed NR-C (Natural Resource Conservancy) zoning is appropriate for the size and open space use of the property. **At the owner's request, FP-1 (Small Lot Farmland Preservation District) is being applied to these two tax parcels. Other county ordinances serve to protect the sensitive environmental features present on the property.**
- One tax parcel totaling just 1,286 square feet from FP-35 to UTR. This is a vacant tax parcel owned by American Transmission Company (ATC).

COMPREHENSIVE PLAN: The properties are located in the town's agricultural transition and resource protection overlay planning areas. The proposed rezonings are consistent with comprehensive plan policies and will ensure compliance

with state farmland preservation law requirements. For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or allan.majid@danecounty.gov.

RESOURCE PROTECTION: Areas of resource protection encompass almost the entirety of the owner's lands lying east of CTH AB. No development is proposed.

TOWN ACTION: The Town Board approved the petition at a meeting on November 19, 2024. Note that the town's approval reflects the proposed change from NR-C to FP-1 for two tax parcels (061001385707 and 061001291700) as requested by the property owner.

STAFF UPDATE: This petition was postponed at the September 24, 2024 ZLR public hearing due to no town action. As noted above, the property owner has requested FP-1 zoning for the lands lying east of CTH AB.

Staff recommends approval of the petition with the requested zoning district change to FP-1 for tax parcels 061001385707 and 061001291700. (Note that the petition and associated ordinance amendment sheet has been revised to reflect the change.)

Please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@danecounty.gov if you have questions about this petition or staff report.

Dane County Farmland Preservation Zoning Recertification 2024											
Town of Dunn Rezones											
Municipality	PARCELNO	ZONING_ DISTRICT	Proposed_ Zoning	Acre	Notes	ConctOwner	BillingStreetAddress	BillingCity	Billing State	BillingZip	PlatDescription
Town of Dunn	061002190010	FP-35	AT-35	14.07	Utter property totals about 45 acres between two tax parcels and is within the Urban Service Area Boundary and shown as Ag Transition in the Town's comp plan.	CLAIR UTTER & JACQUELINE UTTER	3495 COUNTY HIGHWAY MN	MCFARLAND	WI	53558	METES AND BOUNDS
Town of Dunn	061002196320	FP-35	AT-35	31.79	Utter property totals about 45 acres between two tax parcels and is within the Urban Service Area Boundary and shown as Ag Transition in the Town's comp plan.	CLAIR UTTER & JACQUELINE UTTER	3495 COUNTY HIGHWAY MN	MCFARLAND	WI	53558	METES AND BOUNDS
Town of Dunn	061001291700	FP-35	NR-C FP-1	12.5	Utter property lying west of CTH AB totals approximately 17.5 acres. The property is under the minimum 35 acres required for the current FP-35 zoning. The property is almost entirely within mapped wetlands. Proposed NR-C (Natural Resource Conservancy) zoning is appropriate for the size and open space use of the property.	CLAIR UTTER & JACQUELINE UTTER	3495 COUNTY HIGHWAY MN	MCFARLAND	WI	53558	METES AND BOUNDS
Town of Dunn	061001385707	FP-35	NR-C FP-1	5	Utter property lying west of CTH AB totals approximately 17.5 acres. The property is under the minimum 35 acres required for the current FP-35 zoning. The property is almost entirely within mapped wetlands. Proposed NR-C (Natural Resource Conservancy) zoning is appropriate for the size and open space use of the property.	CLAIR UTTER & JACQUELINE UTTER	3495 COUNTY HIGHWAY MN	MCFARLAND	WI	53558	METES AND BOUNDS
Town of Dunn	061002199603	FP-35	UTR	0.03	Vacant 1,286 sqft property owned by American Transmission Company at intersection of CTH AB and CTH MN. UTR zoning most appropriate designation.	American Transmission Company	P.O. Box 47	WAUKESHA	WI	53187-0047	METES AND BOUNDS