



# DANE COUNTY PLANNING & DEVELOPMENT

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## *Planning*

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TO: County Board Supervisors  
County Executive Joe Parisi  
Assistant Corporation Counsel David Gault  
Nancy Meinholz, Town of Cross Plains Clerk  
Town of Cross Plains Supervisors  
Town of Cross Plains Planning Commission  
All Other Interested Parties

## *Records & Support*

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## *Zoning*

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FROM: Brian Standing, Senior Planner

SUBJECT: County Board Ordinance Amendment 2020 OA-12  
Town of Cross Plains Comprehensive Plan Amendment

DATE: July 24, 2020

CC: Todd Violante, Director of Planning & Development  
Roger Lane, Zoning Administrator  
Karin Thurlow Petersen, County Board Staff

*This memo describes amendments to the Dane County Comprehensive Plan proposed by the Town of Cross Plains. Under intergovernmental cooperation policies of the Dane County Comprehensive Plan, town plans must be adopted by the county board and signed by the county executive before they can be used to make county zoning decisions. To assist county officials in their decision making, the Planning Division prepares written information describing any proposed town plan amendments. You may direct any questions to [standing@countyofdane.com](mailto:standing@countyofdane.com).*

## **I. SUMMARY**

On July 6, 2020, the Town of Cross Plains Board of Supervisors adopted amendments to the *Town of Cross Plains Comprehensive Plan*. The Town has requested that the Dane County Board of Supervisors adopt the revised *Town of Cross Plains Comprehensive Plan* as an amendment to the *Dane County Comprehensive Plan*.

## **II. BACKGROUND**

- A. *Ordinance and Plan Amended:* If adopted, 2020 OA-12 would amend Chapter 82, Subchapter II of the Dane County Code of Ordinances to incorporate the amended *Town of Cross Plains Comprehensive Plan* as part of the *Dane County Comprehensive Plan*.
- B. *Action required:* The County Board and the County Executive must approve OA-12 for it to become effective. Town comprehensive plans are adopted as part of the Dane County Comprehensive Plan under s.10.255(1)(d), Dane County Code and Intergovernmental Cooperation Policies for Town Governments (pp. 77-78) of the Dane County Comprehensive Plan. The Dane County Comprehensive Plan is adopted under Chapter 82, Subchapter II, Dane County Code, s. 59.69, Wis. Stats, and s. 66.1001, Wis. Stats.

- C. *ZLR public hearing*: The Zoning and Land Regulation Committee (ZLR) advises the County Board on proposed Comprehensive Plan amendments. The ZLR Committee has tentatively scheduled a public hearing on OA-12 for September 22, 2020.

### III. DESCRIPTION

- A. OA-12 would amend the Dane County Comprehensive Plan by incorporating amendments to the Town of Cross Plains Comprehensive Plan, as approved by the Town of Cross Plains on July 6, 2020.
- B. The amendments would make changes to the Town of Cross Plains' policies related to the approval of mineral extraction sites within town-designated Voluntary Conservation Areas. Language would be added to the mineral extraction and Voluntary Conservation Area sections of the plan to state that the following conditional uses are incompatible with the purposes, goals and objectives of Voluntary Conservation Areas:
- a. transportation, communication, pipeline, electric transmission, utility or drainage uses not required by law;
  - b. non-metallic mineral extraction and asphalt & ready-mix concrete plants,
  - c. renewable energy electrical generators
- C. The town's designated Voluntary Conservation Areas (see map, attached) include high-priority areas for public and non-profit natural resource and scenic conservation. They include areas in and near lands that have received significant public investment, including:
- a. Cross Plains Interpretive Site (National Park Service);
  - b. Ice Age Complex at Cross Plains (Wisconsin DNR)
  - c. Shoveler's Sink Wildlife Protection Area (U.S. Fish and Wildlife Service)
  - d. Black Earth Creek Natural Resource Area (Dane County LWRD)
  - e. Designated Ice Age Trail Corridor (NPS, WI DNR, Dane County LWRD, Ice Age Trail Foundation)
  - f. Black Earth Creek Water Quality Corridor (Village of Cross Plains, Town of Cross Plains).

### IV. ANALYSIS

- A. **Comparison with current county-adopted town plan.**
- The current plan applies standards for the approval of mineral extraction sites universally throughout the Town of Cross Plains. There are no differential or additional requirements for mineral extraction proposals within Voluntary Conservation Areas.
  - Chapter 82 of the Dane County Code goes above and beyond the minimum requirements of the state comprehensive planning law in that it requires that conditional use permits be consistent with the adopted Dane County Comprehensive Plan (and any component town plans). If the new language is adopted, this would effectively prohibit conditional use permits for the uses described above, within designated Voluntary Conservation Areas.
- B. **Consistency with other provisions of the Dane County Comprehensive Plan:**
- **Housing: No significant conflicts found.**
  - **Transportation: No significant conflicts found.**
  - **Utilities and Community Facilities: No significant conflicts found.**
  - **Agricultural, Natural & Cultural Resources: No significant conflicts found.**
  - **Economic Development: No significant conflicts found.**
  - **Land Use: No significant conflicts found.**
  - **Intergovernmental Cooperation: No significant conflicts found.**

