

ZLR Work Meeting - June 8, 2021: Discussion with Town of Vermont regarding the creation of lots without frontage and allowing multiple zoning districts on a property.

Town of Vermont Background:

- The Town of Vermont is the only fully rural township in Dane County. Maintaining Farmland Preservation status continues to be a priority for the Town residents.
- The Town of Vermont is the only Dane County Township located completely within the State's driftless area. Our landscape is unique to Dane County and at times requires a different approach to development.
- Due to the unique landscape and priority on farmland preservation and limiting density, development is roughly evenly spread across the Town with the CLUP prohibiting hamlets and subdivisions.

Discussion Item #1: Allow 1-2 acre "Spot Rezones" on parcels 10 acres & larger

- The entire Township is designated as a Farmland Preservation district - 80% of acreage must remain in a FP or NRC zoning district.
 - At the close of 2020, the Town of Vermont has 887.07 acres that could be zoned out of FP before we would lose our designation
 - The Town has roughly 480 unused PDRs - with most rezones out of FP well over 2 acres currently, we are likely to reach a point where we can no longer maintain our FP designation.
- While parcels between 10 and 35 acres are increasingly common, the build of a home does not preclude farming activity.
- The nature of farming is changing (non-conventional farming). Within the town, there are residents making agricultural incomes on smaller acreages - whether honey, cheese, goat milk, "small" herbs or beef cattle, etc. Forest crops are also agricultural by all definitions with the Town offering some of the best commercial hardwoods in the County.
- We pulled a report of all parcels between 10 and 34.9 acres that are not in an FP zoning district due to a home being built on them.
- Totalling the acreage of just 6 parcels between 30 and 34.9 in RM-16, there are 197.3 acres that were rezoned out of FP. Even if the cleared land on each of these parcels was 3 full acres for the home, garage and outbuildings, that would have resulted in just 18 acres being rezoned out of an FP-zoning district.
- Dane County currently limits "spot rezones" to parcels 35 acres or larger
 - There may be several reasons but my understanding is that one of the concerns is the possibility of someone trying to split the two districts within the same CSM and sell one of them.
- *Proposal:* Create a zoning category applicable to only fully rural townships that qualifies for Farmland Preservation or accommodate 1 acre residential zoning within the FP-1 category.
 - We suggest that this approach would allow the Town to be consistent with its CLUP as well as the Farmland Preservation Act.

- It would also support appropriate use of the land -- the home in the residential zoning district and subject to appropriate permissions/limitations while the surrounding land in FP-1 would be subject to those permissions/limitations more in keeping with our rural community.
- There would need to be a mechanism to ensure that the two zoning districts on the same CSM for parcels 10 acres or larger could not ever be "split" or sold separately.

Discussion Item #2: Allow local authority to determine when 66' of road frontage for a parcel is impossible to support a driveway and the use of an easement better preserves contiguous lands.

- With the Town of Vermont being entirely in the State's driftless area we are composed of relatively narrow valleys or high ridgetop lands. The ability to traverse between our lowlands and ridgetops is commonly over slope grades of 15% to over 30%. Most driveways accessing ridgetops run up long gradual valleys or must traverse hillsides for some distance, and for safety must never exceed 13% under Town of Vermont ordinances.
- Utilizing the County's GIS map of the Town of Vermont and turning on the "Steep Slopes" layer dramatically shows this dilemma.
- The logic of requiring 66' of road frontage for home egress is a sound policy to make sure any landowner issues have a resolve. However within the Town of Vermont there are numerous parcels that are surveyed for 66' of road frontage when they could never support a driveway. The shared driveway will forever be the only route of ingress or egress.
- *Proposal:* Allow local authority to determine when the use of Chapter 75.19(8) of the Dane County Code of Ordinances is appropriate due to slopes that are too steep to support a driveway and 66' of frontage would serve no value.