

1 **10.305.— RD (Rural Density) Overlay Zoning District**

2 **(1) Purpose.**

3 The Rural Density Overlay district is intended to:

4 **(a)** Facilitate implementation of caps on residential densities described in adopted
5 town comprehensive plans, the *Dane County Comprehensive Plan* and the *Dane*
6 *County Farmland Preservation Plan*.

7 **(b)** Protect areas planned for long-term agricultural use.

8 **(c)** Protect open space, natural resources and rural character, consistent with adopted
9 town comprehensive plans and the *Dane County Comprehensive Plan*.

10 **(d)** Provide public notice and consumer protection to potential buyers and future
11 landowners of limits on development potential for properties under town and
12 county comprehensive plan policies.

13 **(2) Areas affected.**

14 The Rural Density Overlay district may apply to any of the following:

15 **(a)** Properties that have exhausted potential development opportunities under density
16 caps in the applicable adopted town comprehensive plan.

17 **(b)** Properties where the landowner has voluntarily sold, transferred or donated all
18 remaining potential development sites to a conservation entity through a recorded
19 deed or conservation easement. Such transactions may include, but are not limited
20 to participation in a transfer of development rights, purchase of development
21 rights, purchase of agricultural conservation easements, or land acquisition and
22 conservation program.

23 **(3) Rezones into the RD Overlay district.**

24 **(a)** Landowners may submit requests to rezone all or portions of their property into the
25 RD Overlay zoning district as either a separate petition, or as part of a petition to
26 rezone for development or transfer of development rights.

27 **(b)** The town board or zoning committee may recommend to the county board that
28 particular parcels be added into the RD Overlay zoning district upon finding that all
29 development potential under the applicable town comprehensive plan on the
30 affected property has been exhausted.

31 **(4) Rezones out of the RD Overlay District.**

32 The county board may approve petitions to rezone property out of the RD Overlay
33 District if it finds that any of the following have taken place:

34 **(a)** The affected town has amended its comprehensive plan to increase the allowable
35 density of residential or nonfarm use for the affected property.

36 **(b)** Conservation easements extinguishing development rights on the property have
37 been relinquished by all holders of the easement, or;

38 **(c)** Conservation easements or rezones to allow development are voided by a court of
39 competent jurisdiction.

40 ~~(5) Permitted and conditional uses.~~

41 ~~All permitted and conditional uses in the underlying district, provided that no uses~~
42 ~~increase the number of principal residential or nonfarm buildings or dwelling units on~~
43 ~~the property.~~

44 ~~(6) Prohibited uses.~~

45 ~~Land divisions or rezones that would allow for any increase in the number of principal~~
46 ~~residential or nonfarm buildings or dwelling units on the property.~~

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