DANE COUNTY
PLANNING & DEVELOPMENT

Room 116, City-County Building, Madison, Wisconsin 53703
Fax (608) 267-1540

TO: County Board Supervisors
County Executive Joe Parisi
Town Clerks
All Other Interested Parties

FROM: Brian Standing, Senior Planner

SUBJECT: County Board Ordinance Amendment 2023-OA-49
Amending the Cultural Resources Section of the Dane County Comprehensive Plan, Amending the Farmland Preservation Plan Map and Deleting Obsolete Language

DATE: November 7, 2023

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

I. SUMMARY

If adopted, 2023 OA-49 would:

- Adopt revisions to the Cultural Resources chapter of the *Dane County Comprehensive Plan,* as recommended by the ZLR Cultural Resources Planning Subcommittee;
- Adopt minor amendments to the *Dane County Farmland Preservation Plan* map for consistency with adopted town, village, city and extraterritorial comprehensive plans, and;
- Delete obsolete language related to the now-expired North Mendota Parkway development moratorium.

II. BACKGROUND

A. *Ordinance and Plan Amended:* If adopted, 2023 OA-49 would amend Chapter 82, Subchapter II of the Dane County Code of Ordinances.

B. Development.

1. Cultural Resources Amendments:

The Dane County Zoning and Land Regulations (ZLR) committee established a Cultural Resource Planning Subcommittee on March 14, 2023. The Cultural Resources Planning Subcommittee met six times between March and September 2023. The subcommittee reviewed public opinion surveys of town residents, historic preservation societies and town officials, and heard presentations from the Wisconsin Historical Society, UW Madison, archaeology consultants, and other interested parties. Based on public and stakeholder comment, the Cultural Resource Planning Subcommittee voted on September 18, 2023 to recommend the revised plan to the Zoning and Natural Resources Committee and the County Board.

2. Farmland Preservation Plan Updates:
The Dane County Department of Development undertakes an annual review of the Farmland Preservation Plan map to make sure areas identified as "Farmland Preservation Areas" remain consistent with adopted county, city, village, town and extraterritorial comprehensive plans, and with the requirements of Section 91.18, Wisconsin Statutes. All communities within Dane County that participate in the state Farmland Preservation program were given an opportunity to review proposed maps prior to their inclusion in 2023-OA-49.

3. Obsolete Language:
Subchapter I of Chapter 82 was originally drafted to implement a development moratorium related to the development of a North Mendota Parkway Implementation Plan. That plan has since been adopted and all associated moratoriums have expired. The Department of Planning and Development and the Dane County Corporation Counsel's Office reviewed the language and have concluded that it is now obsolete and should be removed from the ordinance.

C. *ZLR public hearing:* The Zoning and Land Regulation Committee (ZLR) advises the County Board on proposed Comprehensive Plan amendments. The ZLR Committee has scheduled a public hearing on 2023 OA-49 for **November 28, 2023.**

III. DESCRIPTION

A. Cultural Resources Amendments.

2023 OA-49 would make a number of amendments to the "Cultural Resources" section of Chapter 5 of the *Dane County Comprehensive Plan*. Specific changes would:

- Establish a Dane County Heritage Preservation Commission as a permanent subcommittee of the Zoning and Land Regulations Committee. The Heritage Preservation Commission would advise the county board and the county executive on historic and cultural preservation issues, and serve as the historic preservation commission for towns and other small communities seeking Certified Local Government status under U.S. Department of Interior rules.
- Support reconnaissance and intensive surveys to identify all resources of significant historic or archaeological interest within the county boundaries.
- Support the creation of best practices and model ordinances for towns and other small communities to use to better protect historic resources.
- Standardize development reviews under county authority to prevent unintentional destruction of historic or archaeological resources.
- Expand public education and outreach efforts regarding historic, archaeological and other cultural resources.
- Encourage planning that considers and preserves local craft, art, music and other non-tangible cultural expression.

B. Farmland Preservation Plan Map Amendments.

1. 2023 OA-49 would include amendments to the *Dane County Farmland Preservation Plan Map* that would reclassify a total of 59.6 acres from "Farmland Preservation" to "Not Farmland Preservation" to reflect annexations or Urban Service Area amendments that occurred in 2023. These changes would affect land in the towns of Albion, Black Earth, Blue Mounds, Cottage Grove, Dunkirk, Dunn, Mazomanie, Medina, Montrose, Pleasant Springs, Rutland, Springfield, Sun Prairie, Verona and the Village of Windsor.

2. 2023 OA-49 would also include amendments that would reclassify 254.1 acres from "Farmland Preservation" to "Not Farmland Preservation" in the Town of Oregon. This reflects amendments to the town comprehensive plan map adopted by the town in 2023. These amendments also make sure the town meets Farmland Preservation certification requirements under DATCP administrative rules.

C. Delete Obsolete Language

2023 OA-49 would delete Subchapter I of Chapter 82 (related to the North Mendota Parkway development moratorium) in its entirety.

IV. COMMENTS BY OTHER LOCAL GOVERNMENTS OR STATE AGENCIES

Town Governments

No town governments have formally commented on the proposed amendment as of the date of this memo.

City and Village Governments

As of the date of this report, no city or village governments had commented on this amendment.

Other agencies

Department of Agriculture, Trade and Consumer Protection (DATCP)

On October 6, 2023 DATCP certified that the Farmland Preservation Plan map amendments meet the certification standards of Chapter 91, Wisconsin Statutes and certified the plan, contingent on county board adoption, through 12/31/2032.