

Staff Report



Zoning & Land Regulation Committee

Public Hearing: **September 24, 2024**

Zoning Amendment Requested:

FP-1 Farmland Preservation District TO AT-35 Agriculture Transition District; UTR Utility, Transportation and ROW District; and NR-C Natural Resource Conservation District

Size: **23.41,8.06,24.35,9.55 Acres** Survey Required: **No**

Reason for the request:

TOWN-INITIATED BLANKET REZONE OF PROPERTIES FOR CONSISTENCY WITH THE DANE COUNTY FARMLAND PRESERVATION PLAN AND S. 91.38, WISCONSIN STATUTES.

Petition 12094

Town, Section:

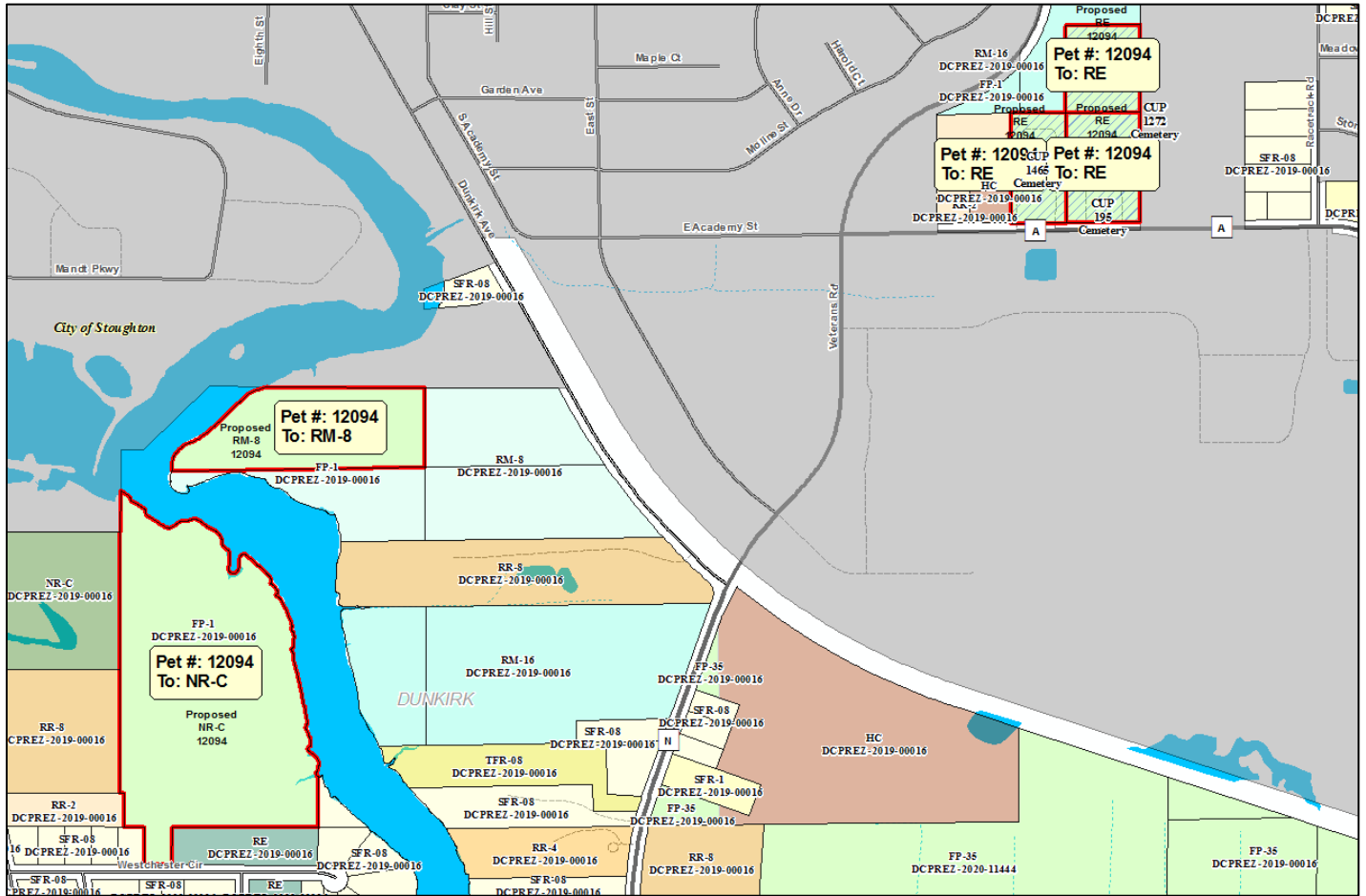
DUNKIRK, Section 7

Applicant:

Town of Dunkirk

Address:

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 12094 cleans up several such inconsistencies in the Town of Dunkirk zoning map for five tax parcels that fall within the City of Stoughton’s urban service area / potential future growth area.

OBSERVATIONS: Petition 12094 would rezone a total of 5 tax parcels affecting 4 owners:

- One parcel (~8 acres) from FP-1 to RM-8. This parcel is part of a ~12-acre ownership parcel with an existing residence. The proposed RM-8 zoning will provide a single zoning category for the entire property.
- One parcel (24 acres) from FP-1 to NR-C. This parcel is almost entirely within mapped wetlands and subject to a deed restriction that prohibits development. The rezoning to NR-C will more accurately reflect the limitations of the property.
- Three parcels (9.5 acres) from FP-1 to RE. These are existing cemeteries located on CTH A. Recreational zoning is a more appropriate zoning for the cemetery use.

COMPREHENSIVE PLAN: The entire township is identified *by the town* as an agricultural preservation area. The properties being rezoned are within the City of Stoughton urban service area and could eventually be annexed into the city. 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: Some of the affected properties have areas of resource protection, but no development is being proposed.

TOWN ACTION: The Town Board approved the rezone on September 3, 2024.

STAFF UPDATE: The petition was postponed at the September 24th ZLR public hearing due to public opposition from Kevin Hanson. Staff followed up with Mr. Hanson by phone on 9/27 to clarify that his property is not included in, nor affected by, this blanket rezone petition. Mr. Hanson verbally indicated his understanding and was grateful for the follow up.

STAFF RECOMMENDATION: Staff recommends approval of the petition, with no conditions.

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