



DANE COUNTY PLANNING & DEVELOPMENT

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MEMORANDUM

TO: Zoning and Land Regulations Committee

FROM: Brian Standing, Senior Planner

SUBJECT: Rezone Petition 11416 (Zurbuchen Living Trust, Town of Verona)

DATE: June 4, 2019

CC: Roger Lane, Zoning Administrator
Amanda Arnold, Town of Verona

I understand public commentary on this petition at the May 28 public hearing raised some questions regarding the town comprehensive plan, farmland loss and stormwater management. I will do my best to address those concerns below.

Town of Verona / Dane County Comprehensive Plan

The Town of Verona board adopted a complete revision to the *Town of Verona Comprehensive Plan* on November 13, 2018. The plan development followed a public participation process, including a public hearing before the town board, as required by s.66.1001 of the Wisconsin Statutes. Subsequently, the town plan was submitted, as [2018 Ordinance Amendment 30](#), to the Dane County Board of Supervisors for inclusion in the *Dane County Comprehensive Plan*. After a public hearing on 2/26/2019, the county board unanimously adopted 2018 OA-30 at its 3/7/2019 meeting. The County Executive signed the amendment on 3/11/2019.

For the area affected by Petition 11416, the new plan changed the planning categories as follows:

- 2006 plan: “Farmland Preservation” (with a permitted residential density of one housing unit per 35 acres)
- 2018 plan: “Rural Residential (2-4 Acres)”

Under the 2018 plan, the policies for the Rural Residential 2-4 Acres planning area are:
“Rural Residential

The primary intent of this classification is to identify areas suitable for future single-family residential housing within a rural context with emphasis on preservation of open spaces and conservation of environmentally sensitive areas. The maximum density shall be one (1) dwelling unit per two (2.0) acres of land. With the following exceptions:

- *Lot averaging can be used on parcels less than 10 acres. Under this concept, the parcel would be divided by a factor of two to determine the*

number of allowed lots. The new lots could be a variety of sizes as long as natural features were preserved, that the smallest lot would not be less than 1.5 acres, and a deed restriction would be applied to prohibit further splits.

- *In a land condominium subdivision, the original lot size can be divided by a factor of two to determine a total number of lots, and units with a minimum lot size of 1.5 acres may be considered.*
- *In conservation subdivisions, a lot size of less than two acres may be allowed. A conservation subdivision ordinance will be developed to determine the appropriate standard.”*

Appropriate Zoning Districts and Subdivision Methods

The County’s future Rural Residential zoning districts (RR-2, RR-4, and RR-8) are most appropriate for future Rural Residential land use category. Planned Unit Development zoning is also an option. Subdivision methods using conservation development principles are encouraged.

Policies

1. The Town will limit new development to a density of the residential dwelling unit category on the land use map. Higher densities are possible if the development meets the Town’s standards for a conservation subdivision. In some cases a Planned Unit Development or condominium subdivision may be considered.”

Farmland Loss

If approved, Petition 11416 would convert 55.6 acres of existing cropland to residential development. Depending on the final zoning the town and county select after the new county zoning ordinance goes into effect in the Town of Verona, some limited small-scale farming could continue, alongside single-family residential use. Rural Recreational (RR) zoning would allow for small-scale farming as an accessory use, with up to one animal unit per acre. Single Family Residential (SFR) zoning would allow for only gardens, domestic fowl and domestic bees, not other agricultural activity.

Although the area is currently shown as Farmland Preservation in the *Dane County Farmland Preservation Plan*, this will be proposed for amendment in September of 2019, to reconcile the *Farmland Preservation Plan* with the *Dane County Comprehensive Plan*. Note that the *Farmland Preservation Plan* does not directly regulate land use, but is primarily a tool to indicate eligibility for farmland preservation tax credits under Chapter 91, Wisconsin Statutes.

Stormwater Management

Section 14.46 of the Dane County Stormwater Management Ordinance requires “any development that results in a subdivision plat” to have an approved stormwater plan that meets countywide performance standards. These performance criteria include precise standards for:

- Sediment control;

- Oil and grease control;
- Runoff curve numbers, based on the hydrologic group of the underlying soils for the site;
- Runoff rates under predicted 1-year, 2-year, 5-year, 10-year and 100-year storm events;
- Requirements for stable outlets;
- Infiltration
- Thermal control (for cold-water river and stream resources).

Stormwater plans are reviewed by county Water Resources Engineering staff and must be designed, constructed, installed and maintained to meet county standards. This typically takes place as part of the subdivision plat approval process.

I hope this addresses the concerns raised at the public hearing. Please feel free to contact me directly at standing@countyofdane.com or by phone at 608-267-4115 if I can be of further assistance.