



DANE COUNTY PLANNING & DEVELOPMENT

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TO: ZLR Committee
Other Interested Parties

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Zoning

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SUBJECT: County Board Ordinance Amendment 2020 OA-008
Town of Deerfield Comprehensive Plan Update

DATE: August 12, 2020

CC: Todd Violante, Director of Planning & Development
Roger Lane, Zoning Administrator

This memo describes amendments to the Dane County Comprehensive Plan proposed by the Town of Deerfield. Town comprehensive plans adopted as components of the Dane County Comprehensive Plan guide town and county decisions on zoning map amendments, conditional use permits, land division proposals, and other public / private land use proposals. To assist county officials in their decision making, the Planning Division prepares written information describing any proposed town plan amendments. Please direct any questions to me by email at allan@countyofdane.com.

I. SUMMARY

The town of Deerfield recently completed a 10 year update of its comprehensive plan as required by state statutes. The process entailed a thorough review of the previous 2007 plan, updates to demographic information and trends, and a renewal and refinement of key land use policies that protect farmland and the rural character of the town. The most substantive changes in the plan are a detailed transfer of development rights policy allowing for transfers on a "1 to 1" basis if certain criteria are met, improved development siting standards and criteria, and the addition of a new "Extraction" future land use category to reflect properties with active mining operations. See additional detail under section III, below.

2020 OA-008 formalizes county adoption of the updated *Town of Deerfield Comprehensive Plan* in chapter 82 of the county code. Staff has reviewed the town plan and finds no significant conflicts with the county plan. Staff recommends adoption of 2020 OA-008.

II. BACKGROUND

- A. *Ordinance and Plan Amended:* If adopted, 2020 OA-008 would amend Chapter 82, Subchapter II of the Dane County Code of Ordinances to incorporate the updated *Town of Deerfield Comprehensive Plan* as part of the *Dane County Comprehensive Plan*.
- B. *Action required:* The County Board and the County Executive must approve OA-008 for it to become effective. Town comprehensive plans adopted as part of the Dane County Comprehensive Plan provide the policy basis for zoning decisions made by the county Zoning and Land Regulation Committee. Decisions on zoning map amendments, conditional use permit applications, and land divisions are required to be consistent with the adopted plan. The Dane County Comprehensive Plan

is adopted under Chapter 82, Subchapter II, Dane County Code, s. 59.69, Wis. Stats, and s. 66.1001, Wis. Stats.

- 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 OA-008 for August 25, 2020.

III. DESCRIPTION & ANALYSIS

- A. OA-008 would amend the Dane County Comprehensive Plan by incorporating an update to the Town of Deerfield Comprehensive Plan, as approved by the Town of Deerfield on March 9, 2020.

B. Summary of Plan Changes.

By and large, the updated plan represents a continuation and refinement of goals objectives and policies outlined in the previous 2007 version of the *Town of Deerfield Comprehensive Plan*.

The plan includes the following overarching goal:

- *Preserve farming, rural character, and quality of life in the Town of Deerfield, in part through responsible growth management and planning, cooperative intergovernmental relations, and protection of natural resources.*

Key objectives include:

- *Focus any new development near already-developed areas*
- *Preserve farming and rural character*
- *Implement the plan cooperatively*

Below is a summary of significant changes made:

- All data, maps, plans, and other general information updated
- Improved the usability of the “Standards and Criteria for Development”
- Added new policies and recommendations to the Agricultural, Land Use, Transportation, Economic Development, and Intergovernmental Agreement Chapters
- Added new implementation action items related to natural resources and agricultural protection, transportation and facilities planning, leveraging local assets, and boundary agreements
- Added a new Transfer of Development Right (TDR) Policy

The new TDR policy represents the single most significant policy change in the plan. Highlights of the TDR policy include:

- No new splits are created through the policy
- Town density policy of 1 dwelling unit per 35 acres owned still applies (i.e., no density bonus is offered to promote transfers), min new lot size 40,000 sf
- Administrative procedures ensure open communication between prospective applicants, the town, and county
- Sending areas are permanently protected by requiring a deed restriction or conservation easement
- Receiving areas must undergo town review of proposed lot design and layout and must promote the town’s overarching farmland preservation goals/objectives

- C. **Consistency with other provisions of the Dane County Comprehensive Plan:**
 - a. **Housing: No significant conflicts found.**
 - b. **Transportation: No significant conflicts found.**
 - c. **Utilities and Community Facilities: No significant conflicts found.**
 - d. **Agricultural, Natural & Cultural Resources: No significant conflicts found.**
 - e. **Economic Development: No significant conflicts found.**
 - f. **Land Use: No significant conflicts found.**
 - g. **Intergovernmental Cooperation: No significant conflicts found.**