



DANE COUNTY PLANNING & DEVELOPMENT

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TO: County Board Supervisors
County Executive Joe Parisi
Assistant Corporation Counsel David Gault
Nancy Meinholz, Town of Cross Plains Clerk
Town of Cross Plains Supervisors
Town of Cross Plains Planning Commission
All Other Interested Parties

FROM: Brian Standing, Senior Planner

SUBJECT: County Board Ordinance Amendment 2020 OA-48
Town of Cross Plains Comprehensive Plan Amendment

DATE: March 16, 2021

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

This memo describes amendments to the Dane County Comprehensive Plan proposed by the Town of Cross Plains. Under intergovernmental cooperation policies of the Dane County Comprehensive Plan, town plans must be adopted by the county board and signed by the county executive before they can be used to make county zoning decisions. To assist county officials in their decision making, the Planning Division prepares written information describing any proposed town plan amendments. You may direct any questions to standing@countyofdane.com.

I. SUMMARY

On November 12, 2020, the Town of Cross Plains Board of Supervisors adopted amendments to the *Town of Cross Plains Comprehensive Plan*. The Town has requested that the Dane County Board of Supervisors adopt the revised *Town of Cross Plains Comprehensive Plan* as an amendment to the *Dane County Comprehensive Plan*.

II. BACKGROUND

- A. *Ordinance and Plan Amended:* If adopted, 2020 OA-48 would amend Chapter 82, Subchapter II of the Dane County Code of Ordinances to incorporate the amended *Town of Cross Plains Comprehensive Plan* as part of the *Dane County Comprehensive Plan*.
- B. *Action required:* The County Board and the County Executive must approve OA-48 for it to become effective. Town comprehensive plans are adopted as part of the Dane County Comprehensive Plan under s. 10.255(1)(d), Dane County Code and Intergovernmental Cooperation Policies for Town Governments (pp. 77-78) of the Dane County Comprehensive 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-48 for March 23, 2021.

III. DESCRIPTION

- A. OA-48 would amend the Dane County Comprehensive Plan by incorporating amendments to the Town of Cross Plains Comprehensive Plan, as approved by the Town of Cross Plains on November 12, 2020.
- B. The amendments would make changes to the Town of Cross Plains' policies related to the creation of lots without 66 feet of frontage onto a public right-of-way.
- C. Section 75.19(8) of the Dane County Land Division Ordinance allows for waivers from the normal requirement that new lots have at least 66 feet of frontage from a public road. Among other criteria, s. 75.19(8) requires that all waivers must be *"that the exception is consistent with applicable town comprehensive plans adopted by the county board."*
- D. The amendment would allow for lots lacking 66 feet of frontage *"where the (Town) Board and (town Plan) Commission finds that the exception protects the public health, safety, and welfare and further finds the exception is needed because of topography limitations, or public right of way sight lines and access or to maintain agricultural activities provided the approved exceptions meet the requirements of County Ordinance 75.19(8)."*

IV. ANALYSIS

- A. **Comparison with current county-adopted town plan.**
- The current plan requires that new lots comply with *"..minimum road frontage..."*
 - The proposed amendment would allow for new lots to be created without the 66 feet of frontage onto a public road under limited circumstances, with recorded easements and maintenance agreements. The proposal is consistent with the requirements of s. 75.19(8), Dane County Code, and is more restrictive than similar provisions in other adopted town plan.
- B. **Consistency with other provisions of the Dane County Comprehensive Plan:**
- **Housing: No significant conflicts found.**
 - **Transportation: No significant conflicts found.**
 - **Utilities and Community Facilities: No significant conflicts found.**
 - **Agricultural, Natural & Cultural Resources: No significant conflicts found.**
 - **Economic Development: No significant conflicts found.**
 - **Land Use: No significant conflicts found.**
 - **Intergovernmental Cooperation: No significant conflicts found.**