

**Staff Report**



**Zoning & Land Regulation Committee**

Public Hearing: **October 22, 2024**

Zoning Amendment Requested:

**FP-35 Farmland Preservation District TO FP-35 Farmland Preservation District**

Size: **6624.22 Acres**

Survey Required: **No**

Reason for the request:

**Establishing an NR-I (Natural Resource Identification) Overlay Zoning District for Ridgetop Protection Areas**

**Petition 12103**

Town, Section:

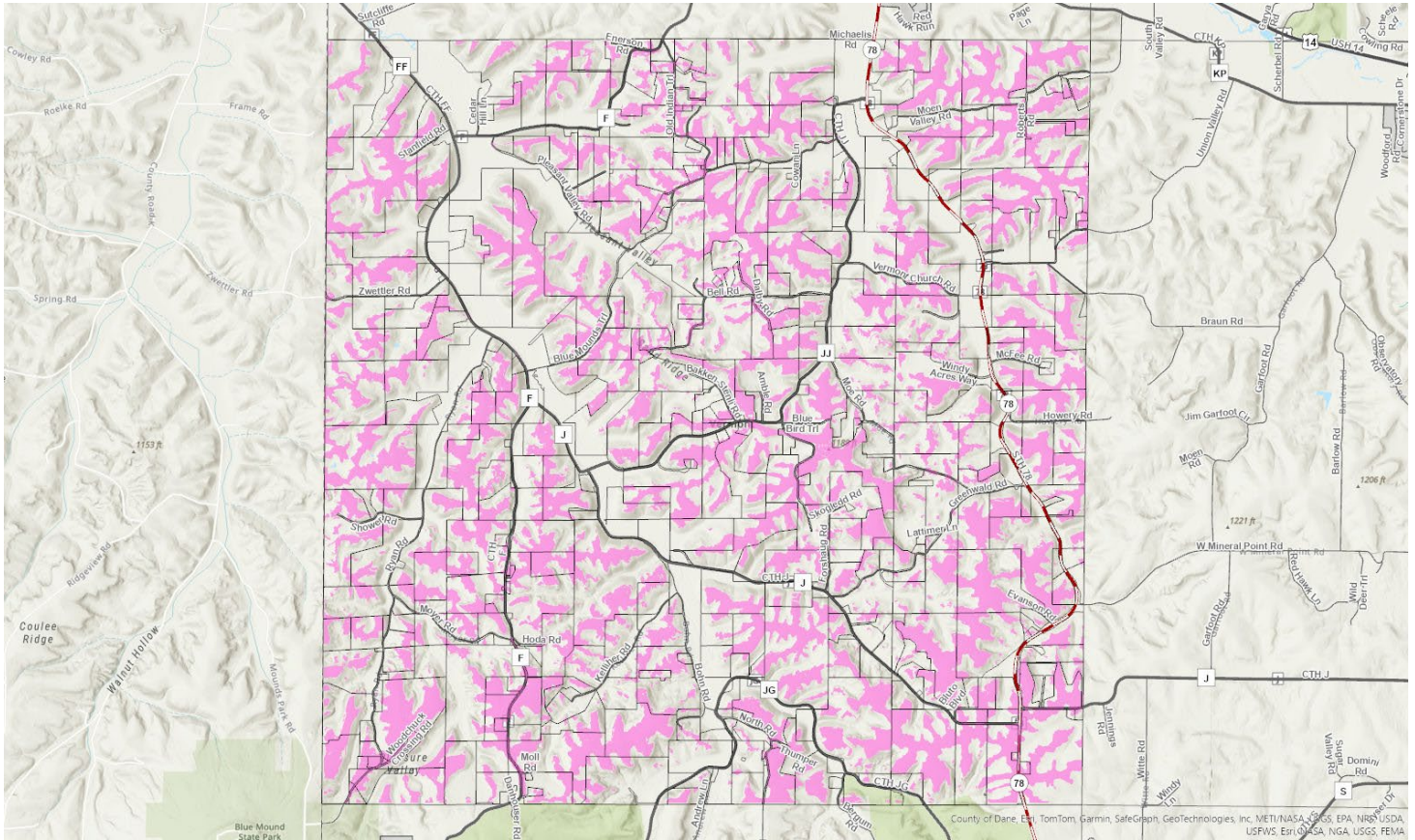
**VERMONT, Section 32**

Applicant:

**Town of Vermont**

Address:

**MULTIPLE (SEE LIST)**



**DESCRIPTION:** This petition would create an NR-I (Natural Resource – Identification) overlay zoning district over areas identified in the town/county comprehensive plan as “Ridgetop Protection Areas.” This will allow the town to more uniformly enforce longstanding comprehensive plan standards limiting new residential buildings to a maximum height of 28 feet within such areas.

**OBSERVATIONS:** The Dane County Board of Supervisors added the NR-I (Natural Resource – Identification) overlay district as part of the 2019 comprehensive revision of the Dane County Zoning Ordinance. The ordinance describes one of the purposes of the NR-I overlay district as “to provide for appropriate review in areas of special concern as identified in adopted town and county comprehensive plans.” The NR-I overlay district does not limit any of the permitted or conditional uses in the underlying district, but requires additional information for development proposals to determine compliance with comprehensive plan design and siting standards.

**COMPREHENSIVE PLAN:** The *Town of Vermont/ Dane County Comprehensive Plan* identifies “Ridgetop Protection Areas” as a tool to “minimize the impact of ridgetop building on the natural beauty and rural character of the town.” The plan defines “Ridgetop Protection Areas” as “any location that is located above the shoulder of the ridge. The shoulder is the point at which the local slope changes from greater than 20% to less than 20%.” Within such areas, new residential buildings are limited to a height of 28 feet, as measured from the highest point of the roof (not including chimneys, lighting rods or other protuberances) to the average ground level. Developers proposing construction with a Ridgetop

Protection Area must complete a [Ridgetop Protection Area Building Verification Form](#). Including Ridgetop Protection Areas in the NR-I overlay district will allow for completion of the Verification Form and approval of building height to be considered prior to the issuance of a zoning permit. In addition, the NR-I overlay zoning will provide greater public awareness of town-specific requirements for Ridgetop Protection Areas. For questions about the town plan, contact Senior Planner Brian Standing at (608) 267-4115 or [Standing.Brian@danecounty.gov](mailto:Standing.Brian@danecounty.gov).

**RESOURCE PROTECTION:** Not applicable.

**TOWN ACTION:** The Town Board has recommended approval of the petition with no conditions.

**STAFF RECOMMENDATION:** Pending any comments at the public hearing, staff recommends approval with no conditions.

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