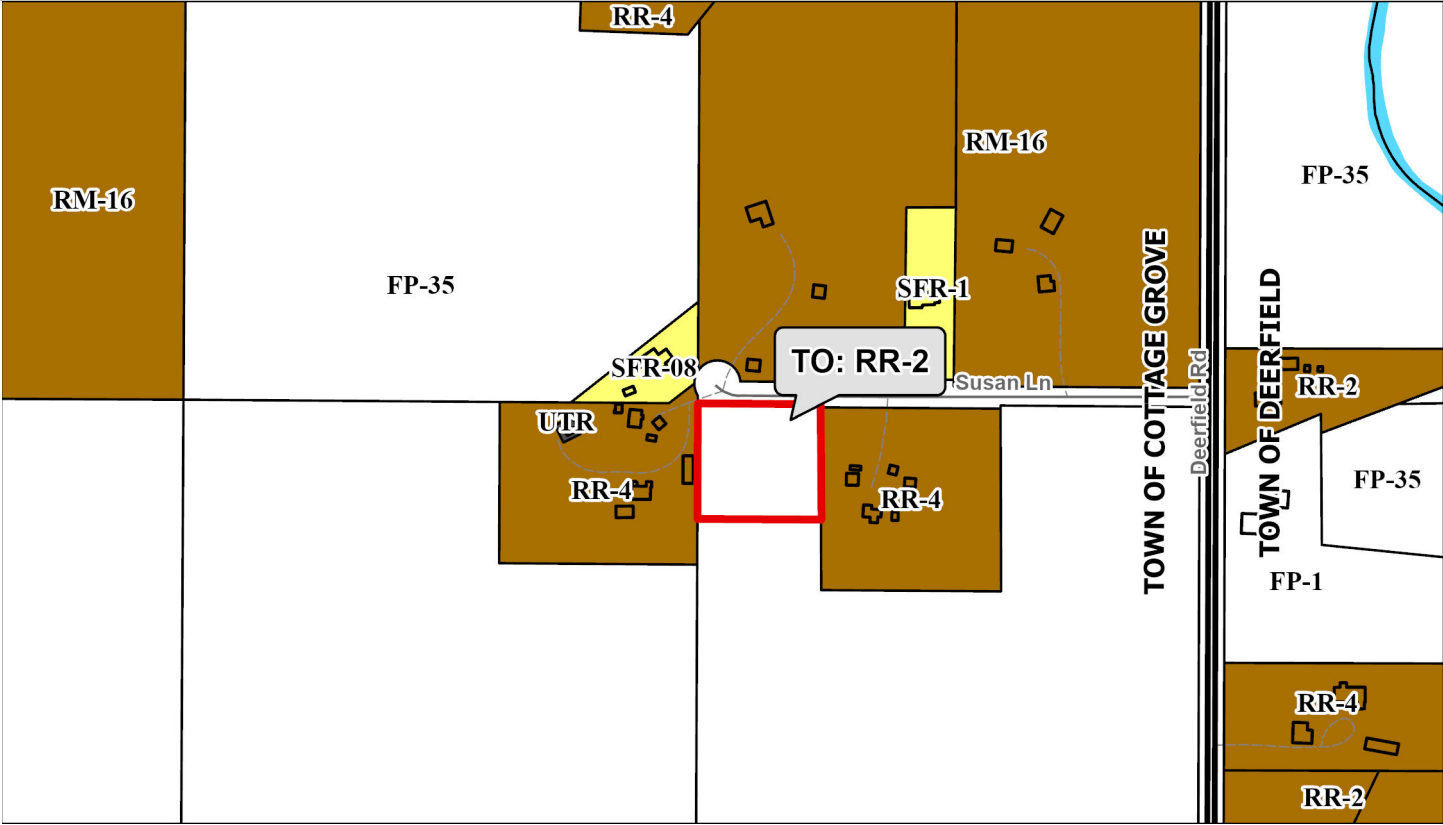


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> August 25, 2026		Petition 12327
	<u>Zoning Amendment Requested:</u> FP-35 Farmland Preservation District TO RR-2 Rural Residential District		<u>Town, Section:</u> COTTAGE GROVE, Section 24
	<u>Size:</u> 2.343 Acres	<u>Survey Required:</u> Yes	<u>Applicant:</u> SCREAMIN' NORWEGIAN FARMS LLC
	<u>Reason for the request:</u> Creating one residential lot		<u>Address:</u> WEST OF 1623 SUSAN LANE



DESCRIPTION: Applicant proposes to create a new 2.3-acre residential lot with RR-2 zoning. The lot would be created with a one-lot certified survey map (CSM), and would use an intra-ownership transfer of development rights (TDR) from another property the applicant owns in Section 35 of the town.

OBSERVATIONS: The new lot would be located between two existing RR-zoned residential lots. There is a discrepancy between the lot width on the survey map and the lands as they existing in the property listing records, with approximately 20 feet of lot width unaccounted for in the parcel maps. This will need to be resolved as part of the land division review process, but does not affect the proposed rezoning of the land, as the basic lot configuration meets county ordinance requirements for lot size and public road frontage. Minor adjustments can be made for the final CSM.

Applicants should also be aware that the residential driveway serving this new lot will be required to be located within the lot that it serves. (Aerial photos show an existing informal driveway access near the east edge of the proposed lot, which may not meet this requirement.)

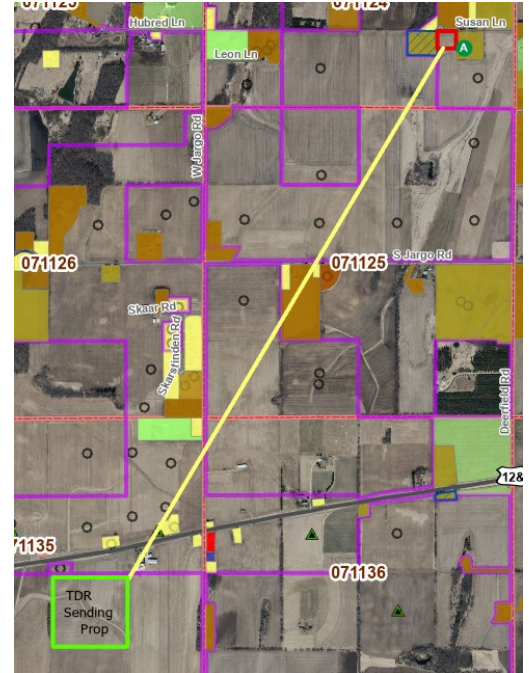
The subject property was previously deed restricted to prohibit additional development, because the density units were exhausted on this original farm (with rezone petition #10409 in 2012). The proposed TDR would enable another density unit to be used to create this lot, provided the transfer meets the town's policy requirements. The deed restriction from 2012 will continue to apply to the FP-35 farm land.

COMPREHENSIVE PLAN: This petition is in the town's agricultural preservation planning area and is subject to the land use policies related to that designation. The applicant is proposing to transfer a development right, as the subject

property is not eligible for any additional “residential density units” (RDUs, or “splits”). As indicated on the attached density study report, the proposed TDR “sending” property remains eligible for 4 RDUs. Note that comprehensive plan policies allow for such transfers subject to the following policies:

4. The Town may also allow limited transfers of RDUs at a 1-to-1 transfer ratio under the following conditions:

- a) Both parcels must be within the Agricultural Preservation Area on Map 16, except as allowed in Figure 6 for Agricultural Transition Areas and Figure 7 for Open Space and Recreation Areas.
- b) For each RDU transferred, the Receiving Area landowner would be able to develop one housing unit above the number of housing units allocated to the May 15, 1982 parcel. There is no transfer ratio incentive.
- c) The site to which the RDU is to be transferred must be less suitable for agricultural use than the parcel from which the RDU is to be transferred, as determined through an evaluation of the County Land Conservation soil groupings, unless no other acceptable locations are available.
- d) The development density of the contiguous ownership to which the RDUs are to be transferred shall be consistent with the purpose of the future land use category mapped over the Receiving Area property.
- e) The proposed residential lot(s) to result from the transfer must be at least 1,320 feet from any existing mineral extraction operation, livestock structure housing 500 or more animal units, or both, except if such operation(s) is on property owned by the Receiving Area applicant.
- f) All “Development Policies for Agricultural Preservation Area” in Figure 5 must be met.



Proposed Transfer of Development Rights

The proposal appears reasonably consistent with applicable comprehensive plan policies. See staff recommendations below. For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or Allan.Majid@danecounty.gov.

RESOURCE PROTECTION: There are no sensitive environmental resources within 300 feet of the subject property.

TOWN ACTION: Town Board recommends approval, with no conditions but commenting that the parcel is allowed to exceed 2.0 acres to line up with the portion of the adjacent parcel to the west that is still farmed. Map to explain is available upon request to the Town Clerk.

STAFF RECOMMENDATION: Based on the town’s recommendation for approval, including for the lot size over two acres, staff recommends approval subject to the applicant recording the CSM and the following conditions:

1. The driveway serving the new residential lot shall be located entirely on the lot, in accordance with Chapter 75 Land Division Ordinance requirements.
2. A deed notice shall be recorded on the proposed RR-2 lot indicating that it was created by a transfer of development rights.
3. The TDR-R (Receiving Area) Overlay zoning district shall be applied to the new lot.
4. The TDR-S (Sending Area) Overlay zoning district shall be applied to the TDR sending property (tax parcel #071135485005).
5. The owner of the TDR sending property shall record an agricultural conservation easement on a minimum of 35 acres of the sending property (tax parcel #071135485005).

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