

# Chapter 8: Land Use

## Introduction

Of the approximately 793,000 acres within Dane County's borders, approximately 182,000 acres, or almost 23%, are covered by water, wetlands, regulated buffers, floodplain or hydric soils. Steep slopes cover roughly another 120,000 acres, or 15%. In 2000, existing development, transportation and other infrastructure accounted for more than 125,000 acres, or 16%. Existing public lands, parks, wildlife areas, trails, recreation areas and environmental reserves account for another 20,000 acres, or 4%. Commercial, industrial, residential, agricultural, recreational and natural resource uses all compete for the remaining 346,000 acres of easily developable land.

Meanwhile, Dane County's population continues to grow, household size continues to drop, automobile use continues to climb, and the county's economy continues to follow nationwide shifts from agriculture and manufacturing to decentralized service and information industries. All of these factors combine to produce dynamic land use change.

## Purpose

This chapter contains goals, objectives, policies and programs to guide the future development and redevelopment of public and private property in Dane County. Detailed maps, existing densities, trends analysis and land use need projections are contained in Volume II.

## Stakeholders

The Land Use chapter compiles and synthesizes recommendations originally developed by the CPSC and the three citizen workgroups (ANCR, HED and TUCF) into a coherent and complete land use strategy.

## Survey Results

An overwhelming majority (83%) of survey respondents identified "planning for future growth" as the single most important issue facing Dane County, including 55% who said the county should pay "considerably more" attention to this issue. Seventy-five percent of respondents also said Dane County should pay at least somewhat more attention to managing conflicting land interests across the county. Respondents favored an active, cooperative role for Dane County government, with "coordinating units of government," and "tightening zoning codes and regulations" the most popular responses.

Town, city and village respondents tended to agree on the overall importance of planning for future growth and the county's intergovernmental coordination role. Urban (24%) and rural residents (30%) were more likely to favor county tightening of zoning regulations than their suburban (19%) counterparts.

### Key Issues

**How can Dane County meet its housing, transportation, service delivery, resource protection, community identity and economic development goals when every year, on average, the following land use changes take place in Dane County?**

- 6,300 more people live in Dane County.
- Almost 350,000 real estate documents are recorded with the Register of Deeds.
- Approximately 4,000 acres of farmland are converted to residential or commercial use.
- 4,500 new homes and more than \$500 million worth of commercial real estate are constructed.
- 750 acres of natural, permeable soils are replaced with impervious surfaces.
- Almost 900 acres are added to Urban Service Areas.

## Regional Land Use Planning Framework

The *Dane County Comprehensive Plan* incorporates a number of long established county and regional plans built around key planning concepts. Farmland Preservation, Parks and Open Space, Urban Service Areas, and Environmental Corridors form the four foundational planning principles that have influenced land use patterns across Dane County for over 20 years. These planning principles are grounded firmly in the county's past and present planning efforts and will continue as important components of the *Dane County Comprehensive Plan*.

### Farmland Preservation

The *Dane County Farmland Preservation Plan*, adopted by the County Board on December 3, 1981, marked the beginning of the county's participation in the state of Wisconsin Farmland Preservation Program, WI State Statute Ch. 91.51, which provides income tax credits to farm owners who keep their property in agricultural use. Farmland Preservation has been, and will continue to be, a cornerstone of town and county planning as well as an example of the benefits and success of cooperative planning.

### Parks and Open Space

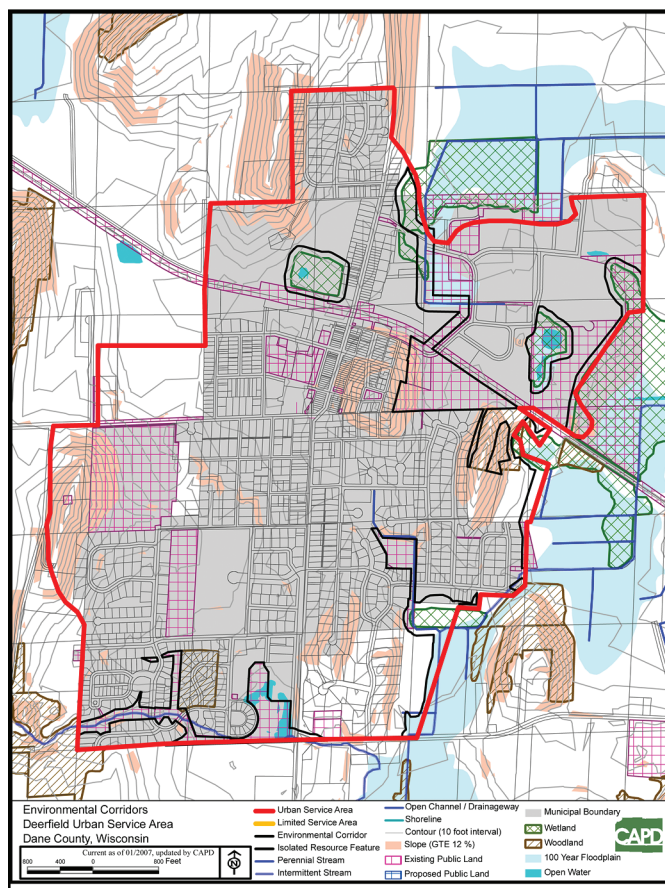
Dane County has a long history of implementing the *Dane County Parks and Open Space Plan* on a voluntary basis, using the County Conservation Fund to purchase properties and conservation easements from willing sellers. The *Dane County Parks and Open Space Plan* is not a regulatory document. See Chapter 5: Agricultural, Natural and Cultural Resources for other recommendations related to the *Dane County Parks and Open Space Plan*.

### Urban Service Areas (Smart Growth Areas)

First introduced in the 1973 *Dane County Land Use Plan*, Urban Service Areas represent those areas in and around existing communities most suitable to accommodate urban development. Urban services include public water supply and distribution systems, sanitary sewerage systems, police and fire protection, solid waste

collection, urban storm drainage systems, streets with curbs and gutters, street lighting, neighborhood facilities such as parks and schools, and urban transportation facilities such as sidewalks, taxi service and mass transit. As described in the *Dane County Water Quality Plan*, Urban Service Areas also serve as the county's sewer service areas for areawide water quality management planning under NR 121, Wisconsin Administrative Code.

Section 16.965(1)(b), Wisconsin Statutes, defines a "Smart Growth Area" as "*an area that will enable the development and redevelopment of lands with existing infrastructure and municipal, state and utility services, where practicable, or that will encourage efficient development patterns that are both contiguous to existing development and at densities which have relatively low municipal, state governmental and utility costs.*" For the purposes of the *Dane County Comprehensive Plan*, Dane County's Urban Service Areas, as updated and amended in the *Dane County Water Quality Plan*, will serve as the county's Smart Growth Areas.



## Environmental and Open Space Corridors

*Environmental Corridors* are contiguous systems of open space in urban and urbanizing areas, that include environmentally sensitive lands and natural resources requiring protection from disturbance and development, and lands needed for open space and recreational use. They are based mainly on drainage ways and stream channels, floodplains, wetlands, steep slopes over 12.5%, and other resource features. Capital Area Regional Planning Commission staff work with municipalities to delineate and map environmental corridors as part of the process for approving Urban Service Areas.

*Open Space Corridors* are more generally mapped systems of interconnected environmentally sensitive lands, typically associated with water features, throughout rural Dane County. All towns in Dane County and the County Board of Supervisors have adopted policies in the *Dane County Farmland Preservation Plan* to protect Open Space Corridors from development.

Policies throughout this plan seek to maintain and strengthen both Environmental and Open Space Corridors to provide a complete network of protected and interlinked natural resource protection areas throughout the county.

## Goals, Objectives, Policies and Programs

### Overall Land Use

#### Goals

1. *Promote the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial and industrial structures.*
2. *Encourage land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state government and utility costs.*
3. *Provide adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial and industrial areas.*

### Supporting Objectives

- A. Promote the use of continuous/contiguous building site development within communities to avoid the inefficient use of land, and so that community separation is maintained.
  - B. Promote the use of contaminated sites (brownfields) for commercial and economic development.
  - C. Promote the location of business and industrial development in communities where a full range of urban services exists.
  - D. Encourage housing, commercial and other development that has the least impact on or enhances existing and local regional facilities.
4. *Plan and develop land uses to create or preserve varied and unique urban and rural communities.*
  5. *Build community identity by revitalizing main streets and enforcing design standards.*

### Supporting Objectives

- A. Promote and enhance community identity and create a sense of place.
- B. Promote commercial development that clusters into districts and complements and reinforces existing neighborhoods and development.
- C. Promote the development of neighborhood scaled commercial development located within or at the edges of residential neighborhoods.
- D. Promote land uses and community development that allow for and include mixed-income housing.
- E. Promote new development that complements and reinforces existing neighborhoods and development.
- F. Support the maintenance and rehabilitation of historic buildings and structures. (*See Chapter 5: Agricultural, Natural and Cultural Resources.*)
- G. Promote a balance of employment and housing opportunities within communities.
- H. Promote the development of housing and communities that integrate childcare facilities; educate the housing industry about the need



for childcare to be located within neighborhoods.

- I. Promote the development of affordable housing that provides convenient access to transit and employment opportunities, daycare, food stores, health care and other services.
- J. Promote a variety of land uses and a range of residential densities and housing types at locations within neighborhoods next to commercial centers and transit.

**6. *Encourage neighborhood designs that support a range of transportation choices.***

**Supporting Objectives**

- A. Coordinate land use and transportation plans and decisions to ensure that transportation facilities are compatible with planned development.
  - B. Promote more efficient service provision that provides transit options.
  - C. Promote mobility and accessibility to housing, employment and services via multiple modes of transportation.
  - D. Identify and promote linkages between housing policies and economic development programs to reduce commuting distance.
  - E. Promote the location of community-scaled development in urban residential areas and mixed-use settings along major transportation corridors that are, or will be, served by transit; concentrate the largest developments at transit stops and other inter-modal transportation nodes.
- 7. *Protect natural areas, including wetlands, wildlife habitats, lakes, woodland, open spaces and groundwater resources.***
- (See also Chapter 5: Agricultural, Natural and Cultural Resources.)*
- 8. *Encourage efforts to reduce or eliminate the number of Clean Air Action Days in Dane County, such as the land use recommendations listed above.***
- 9. *Protect economically productive areas, while balancing conservation and preservation needs.***

**Supporting Objectives**

- A. Develop comprehensive water management policies for Dane County, considering the connections between land-use, urban growth, and surface water and groundwater issues.
- B. Promote the creation of compact urban, mixed-use developments in underutilized or vacant sites (infill areas) to avoid the conversion of agricultural or open space areas.
- C. Promote housing development that protects designated environmental and open space corridors.

**10. *Balance individual property rights with community interests and goals.***

**Regional Planning Framework**

***Policies and Programs***

- 1. Maintain and enhance the existing regional planning framework in Dane County.

**A. Urban Service Areas**

Continue to direct urban development requiring a full range of public services to designated Urban Service Areas, as identified in the most current versions of adopted town, village, city and county land use and comprehensive plans, the *Dane County Farmland Preservation Plan* and the *Dane County Water Quality Plan*.

- (1) Urban Service Areas as shown in the most current version of the *Dane County Water Quality Plan* shall serve as “Smart Growth Areas” as defined in s. 16.965(1)(b), Wisconsin Statutes, for the purposes of the *Dane County Comprehensive Plan*. Limited Services Areas delineated in the *Dane County Water Quality Plan* may also be approved as “Smart Growth Areas” where appropriate to promote higher density infill development as part of a transfer of development rights program.
- (2) Continue to refer to Urban Service Area plans adopted into the *Dane County Water Quality Plan* to provide detailed land use planning policies within Urban Service Areas.



## B. Agricultural Preservation Areas

Within designated Agricultural Preservation Areas, as identified in the *Dane County Farmland Preservation Plan* and in town plans adopted by the county board (*See Chapter 8: Intergovernmental Coordination*):

- (1) Continue to maintain and support production agriculture, agricultural-related businesses, forestry, open space, and compatible uses;
- (2) Limit residential densities according to policies established in town plans adopted by the county board;
- (3) Maintain eligibility for farmland preservation tax credits under Chapter 91, Wisconsin Statutes, and;
- (4) Continue to refer to town plans adopted by the county board for detailed land use policies within Agricultural Preservation Areas.

## C. Rural Development And Transitional Areas

Within Rural Development or Transitional Areas as identified in town plans adopted by the county board (*See Chapter 8: Intergovernmental Coordination*):

- (1) Continue to promote limited, compact, and efficient development;
- (2) Encourage the use of conservation design, Transfer of Development Rights, site planning, design review and other techniques to ensure compatibility with agricultural, natural resource and open space use, and with neighboring communities;

- (3) Develop opportunities and guidelines for limited, multi-family senior housing in unincorporated Rural Development and Transitional Areas to serve local aging populations, and;
- (4) Continue to refer to town plans adopted by the county board for detailed land use policies within Rural Development and Transitional Areas.

## D. Environmental and Open Space Corridors

Continue to redirect development away from, and limit encroachment into, designated Environmental and Open Space Corridors, as identified in the most current version of adopted town, village, city and county land use and comprehensive plans, the *Dane County Farmland Preservation Plan* and the *Dane County Water Quality Plan*.

- (1) Continue to apply the provisions of the Dane County Shoreland Zoning Ordinance (Chapter 11, Dane County Code), Dane County Floodplain Zoning Ordinance (Chapter 17, Dane County Code) and the Dane County Stormwater Management and Erosion Control Ordinance (Chapter 14, Dane County Code) within Environmental and Open Space Corridors.
- (2) Continue to refer to town plans adopted by the county board (*see Chapter 8: Intergovernmental Coordination*) for additional land use policies within Environmental and Open Space Corridors.

## E. Natural Resource and Recreation Areas

Continue to protect significant natural resources and recreational lands identified in priority setting documents, such as the *Dane County Parks and Open Space Plan* and the *Land and Water Resources Conservation Plan*, through county and collaborative, voluntary acquisition and incentive programs.

2. Continue to consider a permanent, countywide Transfer of Development Rights program that meets the following criteria.
  - A. Supports and complements any existing or future Purchase of Agricultural Conservation

Easements (PACE), Purchase of Development Rights (PDR) or transfer of development (TDR) programs developed by the county, local, state or federal governments.

- B. Provides for voluntary participation and flexibility for town, city and village government and individual landowners.
- C. Provides planning assistance for towns that want to create sending and/or receiving areas.
- D. Encourages inclusion of working farmlands, large woodlands and natural resource areas under conservation easement.
- E. Includes a countywide TDR ordinance that would:
  - (1) set minimum standards;
  - (2) provide a framework to support existing or future town, village, city and cooperative TDR programs;
  - (3) provide for consistency with other county and other municipal zoning requirements;
  - (4) Include model TDR ordinance and plan language which could be adopted voluntarily by local governments;
  - (5) Does not have long-term negative impacts on villages and cities by preventing logical growth and encouraging sprawl;
  - (6) Focuses agricultural easement purchases to areas planned and viable for long-term or permanent agricultural or natural resource use, and;
  - (7) Makes sure that all land protection through TDR is in permanent agreements and conservation easements have secondary easements holders to provide lasting public benefit.
3. Continue to develop a permanent, countywide Purchase of Development Rights (PDR) program that meets the following criteria:
  - A. Supports and complements any existing or future PDR, Purchase of Agricultural Easements (PACE), or transfer of development (TDR) programs developed by the county, local, state or federal governments;
  - B. Encourages inclusion of natural resource lands, farmlands, and woodlands under conservation easement;
  - C. Focuses on voluntary participation on lands where private landowners can continue to manage their property and public access is not required;
  - D. Uses the current Highway 12 program as a model, with modified PDR ranking criteria to suit needs of a countywide program;
  - E. Establishes a dedicated PDR fund and identifies a minimum level of funding;
  - F. Maximizes the county's ability to receive additional funding for PDR, such as the Federal Farmland Protection Program, Wisconsin Stewardship Fund, local or municipal revenues;
  - G. Does not have a long-term negative impact on villages and cities by preventing logical growth and encouraging sprawl;
  - H. Focuses easement purchases to areas planned and viable for long-term or permanent agricultural or natural resource use, and;
  - I. Makes sure that all land protection through PDR is in permanent agreements and conservation easements have secondary easement holders to provide lasting public benefit.

## **Code Implementation, Administration And Enforcement**

### *Policies and Programs*

1. Examine zoning processes, existing and proposed local codes, administration and procedural requirements to minimize negative impacts on agriculture.
2. Evaluate new land use policies and report on their impact on housing.
3. Study and report on the reasons why land use plans can cause inefficient land use (i.e. septic field requirements, excessively large minimum lot sizes, etc.)



4. Conduct countywide meetings to discuss existing and proposed ordinances, regulations and legislation affecting land use.
5. Work with the county zoning agency to develop an expedited permitting process for new developments that are sited on existing transportation arterials and that satisfy the objectives identified in community/county plans.



## Community and Neighborhood Design

(See also Chapter 2: Housing.)

### Policies and Programs

1. Develop an integrated set of model community and neighborhood design principles to help new development and redevelopment meet the goals and objectives of the *Dane County Comprehensive Plan*. Distribute model design principles to town, village and city government, builders, realtors and developers.
  - A. Establish design principles to promote distinct, sustainable, economically and culturally diverse housing, communities and neighborhoods.
    - (1) Promote the creation of compact neighborhood development based upon green building principles that include green space, activity centers, and grocery stores as well as upon the BUILD program's model Traditional Neighborhood Design (TND) ordinance.
  - B. Encourage communities to prepare neighborhood plans for developing areas before extending public infrastructure or granting development approvals.
    - (1) Develop guidelines for the types of development and circumstances when neighborhood plans are recommended, based on thresholds such as number of increased car trips, amount of additional impervious surface or number of private septic systems.
    - (2) Encourage the development of neighborhood plans at least two years prior to anticipated development.

- (2) Encourage neighborhood-scaled commercial development within or at the edges of residential neighborhoods to provide community focal points as well as convenient access to goods and services.
- (3) Support the creation of live/work development so that residents can work in proximity to their homes.
- (4) Support the enhancement and preservation of the character and livability of existing neighborhoods and communities. Promote new development that complements and reinforces existing neighborhoods and development.
- (5) Promote the development of affordable housing that provides access to daycare, food stores, health care and services. Promote the development of housing and communities that integrate childcare facilities; educate the housing industry about the need for childcare to be located within neighborhoods.
- (6) Promote the creation of housing so multiple generations within families, both old and young, can live with each other and near each other to better care for themselves.
- (7) Focus land development policies on creating and preserving conditions that attract workers, tourists, visitors, residents, and business people, etc. to Dane County.

- (3) Encourage all neighborhoods to provide a system of roadways, walkways, and bikeways to facilitate easy multi-modal movement using a variety of routes between destinations, particularly between activity centers such as commercial nodes, transit stops or transportation transfer points.
  - (4) Create an impact fee assessment model that cities, towns and villages may use when determining costs of infrastructure for new development, and provide educational materials to communities about their options.
- C. Identify areas in Dane County that should be protected permanently from development. (*See Chapter 5: Agricultural, Natural and Cultural Resources.*)
- (1) Identify, preserve and create maps of agricultural land and open space to provide a visual representation of the physical separation between urban communities.
- D. Engage the building industry, housing developers, neighbors and other stakeholders in planning great neighborhoods through discussion and public forums.
- (1) Educate individuals, communities and employers about siting business and housing together.
  - (2) Explore, identify and promote programs that promote infill development.
- (3) Educate communities about their options for compact development.
- E. Develop and promote principles for sustainable business practices to increase energy efficiency and reduce environmental impact throughout Dane County.
- (1) Encourage business certification processes, such as Green Tier, that include training for improved stormwater management.
  - (2) Promote the use of continuous/contiguous building site development within communities to avoid the inefficient use of land, and so that community separation is maintained.
  - (3) Promote energy efficient green building and housing that is Wisconsin Energy Star certified green built homes through marketing and education.
  - (4) Provide non-monetary incentives for builders and developers to incorporate green building practices into their projects.
  - (5) Develop a plan to incorporate green building principles into existing county buildings and infrastructure.





## Fees

### *Policies and Programs*

1. Property owners rezoning land from A-1 (Exclusive Agriculture) should pay fees sufficient to cover the full costs of the rezone process and administration.
2. Explore creation of service impact fees for new development.
3. Establish a sanitary code fee structure sufficient to add dedicated staff to conduct, monitoring, inspection and enforcement related to landspreading of septage from private onsite wastewater treatment systems.

## Ordinance Amendments

### *Policies and Programs*

1. Amend the Dane County Zoning Ordinance (Chapter 10, Dane County Code) to accomplish the following.
  - A. Require that rezones and conditional use permit applications be reviewed for consistency with town and county comprehensive plans.
  - B. Establish design guidelines that minimize conversion of agricultural land, support farm operations and allow for agriculture-related businesses. (*See also Chapter 5: Agricultural, Natural and Cultural Resources.*)
    - (1) Establish maximum lot sizes, with exceptions where necessary due to local land conditions, for all land rezoned out of exclusive agriculture.
    - (2) Make it easier to establish agricultural service and other industries that promote appropriate, sustainable rural and farm economic development. Examples include:
      - a. biotech industries;
      - b. value-added enterprises;
      - c. agricultural tourism;
      - d. forestry and sustainable timber harvest;

- e. agricultural supply and product distributors;
  - f. ethanol plants;
  - g. soybean and other processing plants;
  - h. implement dealers, and;
  - i. mixed use developments involving both traditional agriculture and retail/processing uses.
- (3) Create a zoning category for rural subdivisions utilizing joint septic systems on non-productive farm lands (rocky drumlins, etc.). Base density on character of land, slope, soil, etc.
  - (4) Make sure nuisance and other provisions related to odor, noise and similar impacts do not apply to agricultural areas.
  - (5) Allow for small acreage farming zones (less than 35 acres), in zoning ordinances so that small-scale commercial cultivation and value-added food production can occur.
- C. Promote housing that meets the affordability, location and design goals of the *Dane County Comprehensive Plan*. (*See also Chapter 2: Housing.*)
    - (1) Reduce zoning lot size requirements for rural housing settings, including conservation and cluster subdivision, in order to reduce housing costs.
    - (2) Allow for and promote reduced lot sizes, setbacks, road widths, zero lot lines, and other regulations that decrease housing costs, as defined in the BUILD Traditional Neighborhood Design model ordinance, where appropriate.
    - (3) Explore options, such as countywide inclusionary zoning, based on a housing needs analysis.
  - D. The current zoning and platting system poses difficult challenges for assuring that commercial and larger scale residential development is implemented consistently with the goals of towns and the county. Ordinance revision should include a Planned Unit Development

overlay ordinance which would allow the town and county jointly to control the end result of development in a single process.

E. Streamline and update permitting and regulatory processes for Dane County businesses and communities without compromising environmental protection, and the health, safety and welfare of Dane County residents. (*See also Chapter 6: Economic Development.*)

- (1) Provide preferential treatment in the review and approval process for new commercial and mixed-use developments that are sited on existing transportation corridors and routes.
- (2) Implement customer-friendly permitting processes to more efficiently assist business and industry without reducing service standards, and encourage local governments to do the same.
- (3) Revise commercial districts to support mixed residential/commercial uses and neighborhood-scale small business uses.
- (4) Allow galleries and artist studios as a conditional use in residential areas.
- (5) Allow for condominium, housing, and rental live-work units that combine artist and performing art studios, galleries, and artisan shops.

F. Improve standards for siting of utilities and telecommunication facilities. (*See also Chapter 4: Utilities and Community Facilities.*)

- (1) Strengthen consideration of aesthetics in the building of communication towers (e.g., education, design competition, exhibits).
- (2) Develop procedures and standards to ensure that any future siting decisions for energy generation, transmission, and distribution facilities will be evaluated to ensure consistency with community and regional development objectives, and the overall protection of public health, safety and the environment.

G. Improve standards and adopt objective criteria for siting, operation and expansion of mineral extraction sites. (*See also Chapter 5: Agricultural, Natural and Cultural Resources.*)

- (1) Develop and implement countywide standards for: adequate separation between existing land uses and new mineral extractions or expansions; safe hauling routes; screening, planting and setbacks for mineral extraction operations; noise, dust and runoff control; compliance with state groundwater and surface water standards; blasting, including safe operation, notification and scheduling; onsite recycling or processing operations; public input and consideration of neighbor concerns.
- (2) Consider amending ordinance to allow for mineral extraction sites to be permitted as a stipulated conditional use, where permit is granted if all standards described in i) above are met.
- (3) Establish maximum term for conditional use permits for mineral extraction sites to review operations and ensure county standards continue to be met.
- (4) Inspect each site in the field at least annually. Develop specific site inspection and review topics and a “grading” system for the inspection topics.
- (5) Require deed notices informing potential buyers within ½ mile of existing or planned sites of the proximity of existing mineral extraction sites and identified potential mineral resources.
- (6) Include operation of construction material recycling facilities into mineral extraction operation permit standards.
- (7) Require mineral extraction applicants to meet with town board, neighborhood, and county supervisor representing that district to present a plan prior to submitting a county conditional use permit application. Applicant should be required to disclose comments received and efforts made to address substantive issues raised.

- (8) Review ordinance standards for County Board reversal of appealed CUP decisions to determine whether current supermajority requirements are appropriate.
- H. Promote better protection, adaptive reuse and rehabilitation of historic structures. *(See also Chapter 5: Agricultural, Natural and Cultural Resources.)*
  - (1) Create a new conditional use, “Limited Rural Business” including any use in B1, C1, C2, etc., IF: a. confined to pre-2000 buildings; b. no more than 2 non-family employees, and; c. maintains exterior appearance of building.
  - (2) Require Conditional Use Permit to work on structures or property designated or listed by Wisconsin Historical Society.
  - (3) Develop and use historic district overlay zoning, as appropriate, to preserve historic and archaeological sites.
- I. Promote environmentally sound land use. *(See also Chapter 5: Agricultural, Natural and Cultural Resources.)*
  - (1) Where appropriate, reduce standards for parking lot capacity and lot size to reduce impervious surface areas of new developments.
2. Amend the Shoreland Zoning Ordinance (Chapter 11, Dane County Code) to *(See also Chapter 5: Agricultural, Natural and Cultural Resources.)*:
  - A. Require preservation or restoration of natural vegetative buffers near waterways and wetlands. Develop vegetative buffer standards for agricultural areas that are compatible with USDA technical and cost-share guidelines, and;
  - B. Implement waterbody-sensitive shoreland zoning regulations, including standards for vegetative buffer protection and restoration, mitigation of nonconforming uses, slope protection and conservancy overlay districts.
3. Amend the Erosion Control and Stormwater Management Ordinance (Chapter 14, Dane County Code) to *(See also Chapter 5: Agricultural, Natural and Cultural Resources.)*:
  - A. Work with the Dane County Lakes and Watershed Commission and local municipalities to adopt minimum standards for road salt (or other ice or snow melt material) use, street cleaning, storm sewer maintenance, storm sewer outlet protection, shoreline protection, and construction site erosion control ordinances. Continue to develop standards for stormwater management plans in conjunction with local and state management agencies.
4. Amend the Floodplain Zoning Ordinance (Chapter 17, Dane County Code) to *(See also Chapter 5: Agricultural, Natural and Cultural Resources.)*:
  - A. Evaluate county and municipal floodplain zoning standards to see if ordinances adequately protect floodplains and revise as necessary, and;
  - B. Provide sufficient resources to actively enforce and administer county floodplain zoning ordinances to strictly limit new development within floodplains.
5. Amend the Private Sewage System and Health Ordinance (Chapter 46, Dane County Code) to *(See also Chapter 5: Agricultural, Natural and Cultural Resources.)*:
  - A. Regulate siting and to enforce state requirements for landspreading of septage from private onsite wastewater treatment systems.
6. Amend the Land Division Ordinance (Chapter 75, Dane County Code) to *(See also Chapter 5: Agricultural, Natural and Cultural Resources.)*:
  - A. Develop a county conservation subdivision ordinance.
    - (1) Ordinance should set minimum standards for areas preserved for agriculture or natural resource protection and provides for permanent protection of agricultural or open space.
    - (2) Consider requiring that new development follow conservation design standards in designated buffer or transitional farming areas.



- (3) Develop and distribute a Dane County model land division and conservation subdivision ordinance for voluntary use by local governments.
- B. Promote environmentally sensitive design that minimizes impacts to natural resources.
  - (1) Review land division ordinance to see if there are opportunities to modify parking lot, street width and other standards to reduce impervious surface areas of new developments.
  - (2) Encourage permeable paving surfaces in parking lots, overflow parking areas and walkways.
  - (3) Promote site design that maximizes groundwater infiltration.
  - (4) Develop tree preservation and canopy cover standards. New developments or subdivision platting must involve one or more certified arborists to consult on the best layout to preserve existing stands of high quality trees.
  - (5) Develop guidelines and codes for energy efficient site planning and building methods that promote and take advantage of conservation opportunities.
7. Create a new ordinance that requires communities to work together on land use, comprehensive and parks and open space plans to encourage (*See also Chapter 5: Agricultural, Natural and Cultural Resources*):
  - A. Interconnection of all planned trails and paths, with no dead ends, and;
  - B. Intergovernmental notification, cooperation and discussion related to proposed plan amendments.

## Planning Technical Assistance

### *Policies and Programs*

1. Expand and enhance the ability of the Department of Planning and Development to provide low-cost or free planning services directly to rural town governments, to provide a broader range of tools and resources to meet local challenges.
  - A. Provide services such as mapping, comprehensive plan text drafting and meeting facilitation directly to town government.
  - B. Establish a county grant and assistance program for towns to amend their portions of the *Farmland Preservation Plan*. (*See also Chapter 5: Agricultural, Natural and Cultural Resources.*)
    - (1) Work with towns to identify Farm Priority Areas to protect large, contiguous blocks of traditional production farmland. Use TDR, PDR and other mechanisms to help compensate landowners in areas where rezones out of exclusive agriculture are limited or restricted.
    - (2) Work with towns to identify and map Small-Acreage Farming Areas. Develop planning, zoning and economic development techniques to encourage and support small-scale agriculture.
    - (3) Develop site plan review standards to encourage the location of new housing in a way that minimizes conflicts with, and supports, nearby agriculture, while allowing farmers to develop on less productive lands to provide cash inputs to working farms.
      - a. Minimize the conversion of agricultural land to residential use by encouraging compact development, as well as the amount of land consumed per unit of new housing in the towns.
      - b. Create rural development design and siting guidelines and regulations to minimize rural nonfarm, development on agriculture.
      - c. Develop options and tools for mitigation of

- potential impacts of proposed developments on woodlands, grasslands, wetlands or wildlife habitat.
- (4) Designate “rural development areas” by planning for eventual residential and commercial development.
    - a. Seek to maintain or increase housing density, in accordance with local plans.
    - b. Promote development clustered based upon historical patterns such as existing hamlets, cross roads communities, subdivisions, and conservation subdivisions, as well as environmental factors such as soils, slopes, and viewsheds.
    - c. Develop rural commercial development design and siting guidelines to minimize adverse impacts on rural agricultural operations, to preserve scenic views, and to facilitate the efficient provision of services.
  - (5) Encourage communities to direct new dwelling units to the Outlying Urban Service Areas (OUSAs) and to the Central Urban Service Area (CUSA) as appropriate in order to ensure that development occurs in locations with a range of urban services, and where those services can be provided most efficiently.
  - (6) Develop a coordination process to compare plans of adjoining communities to minimize incompatible uses, promote interconnection of planned transportation routes, recreational trails and paths, and to encourage creation of large natural resource and agricultural areas that cross community borders.
- C. Make computer modeling programs available so towns, cities and villages can play with different development / build-out scenarios to see how it affects their community. *(See also Chapter 2: Housing.)*
  - D. Work with towns to develop zoning changes, land division ordinances, conservation subdivision, building codes, driveway codes, intergovernmental agreements and other tools, based on county models where appropriate, to implement local and county planning goals.
    - (1) Work with towns to amend local building, nuisance and other codes to accommodate agricultural practices. *(See also Chapter 5: Agricultural, Natural and Cultural Resources.)*
    - (2) Assist towns to complete “blanket rezones” of mapped open space corridors to the CO-1 or A-1(ex) zoning district, where appropriate. *(See also Chapter 5: Agricultural, Natural and Cultural Resources.)*
    - (3) Encourage communities to adopt ordinances to require land for schools be set aside for development of a given size or when a critical number of home sites are approved. *(See also Chapter 4: Utilities and Community Facilities.)*
  - E. Establish a “best practices” sourcebook for use by town plan commissions and town boards that would include model plan language, ordinances and intergovernmental agreements, as well as policy guidelines for programs like TDR or PDR, density caps, etc. *(See also Chapter 5: Agricultural, Natural and Cultural Resources.)*
  - F. Encourage, educate, and assist farmers with entering agricultural or conservation easement programs to protect productive agricultural lands. *(See also Chapter 5: Agricultural, Natural and Cultural Resources.)*
2. Make sure the Department of Planning and Development maintains the ability to provide technical assistance and support to cities and villages to facilitate sensible and efficient growth; and, direct county resources to that end.
    - A. During the planning process, encourage development to locate near mass transit, grocery stores, shopping and recreation, and encourage mass transit planning and development to integrate housing and amenities. *(See also Chapter 2: Housing and Chapter 6: Economic Development.)*
      - (1) Allow for increased density along transportation routes and alternative transportation such as bike paths, bus lines and future light rail.

- (2) Promote the location of community-scaled development in urban residential areas and mixed-use settings along major transportation corridors, which are, or will be, served by transit; concentrate the largest developments at transit stops and other inter-modal transportation nodes.
  - (3) Designate areas located in urban service areas, near transit corridors, retail businesses, schools and jobs for phased development; map these areas and make information available to the public.
- B. Encourage communities to plan urban service areas that include zoning conducive to affordable housing. *(See also Chapter 2: Housing.)*
  - (1) Work with local governmental units to identify and develop recommendations that remove regulatory and other barriers to affordable accessible housing for renters and owners.
  - (2) Work with communities to conduct a fiscal impact analysis of housing regulations and policies to identify the impacts of housing on the cost of services, and its affordability.
- C. Locate major highways for twenty years and identify in local plans and official maps. *(See also Chapter 3: Transportation.)*
- D. Provide facilitation and coordination services for the towns, cities and villages, when considering the placement of homes near farmland in order to promote siting solutions that are beneficial to all parties; create model process guidelines for communities so that they can engage agricultural producers and potential residents in a productive dialogue and reduce potential conflict. *(See also Chapter 2: Housing and Chapter 5: Agricultural, Natural and Cultural Resources.)*
- E. Encourage appropriately scaled multi-family residential development. *(See also Chapter 2: Housing.)*
- F. Encourage communities to provide adequate public infrastructure to enable businesses to operate and expand successfully. *(See also Chapter 6: Economic Development.)*
- G. Encourage all communities within central urban service areas to adopt commercial development standards that minimizes traffic congestion and incompatible land uses, and promotes pedestrian circulation. *(See also Chapter 6: Economic Development.)*
- H. Promote the revitalization of downtown and main streets that promote: 1) design standards, 2) promotion and marketing, 3) organizational capacity and 4) business development; as recommended in the State of Wisconsin Main Street program guidelines. *(See also Chapter 6: Economic Development.)*