

AGENDA
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
DECISION MEETING

George Jaeckel, Chair; Steve Nass, Vice-Chair; Blane Poulson, Secretary; Matt Foelker, Cassie Richardson

SUBJECT: Planning and Zoning Committee Decision Meeting

DATE: Monday, August 28, 2023

TIME: 8:30 a.m.

PLACE: County Highway Department Committee Room, 1425 Wisconsin Drive, Jefferson, WI

YOU MAY ATTEND VIRTUALLY BY FOLLOWING THESE INSTRUCTIONS:

Register in advance for this meeting:

[https://zoom.us/meeting/register/tJEkf--hpj4pHd2y7-u8i9MUTAbnqMB_1Qxy](https://zoom.us/join/zoom/register/tJEkf--hpj4pHd2y7-u8i9MUTAbnqMB_1Qxy)

Meeting ID: 959 8698 5379

Passcode: Zoning

After registering, you will receive a confirmation email containing information about joining the meeting

1. Call to Order
2. Roll Call (Establish a Quorum)
3. Certification of Compliance with Open Meetings Law
4. Approval of the Agenda
5. Public Comment (Not to exceed 15 minutes and not to include petitions slated for decision. Members of the public who wish to address the Committee on specific agenda items must register their request at this time)
6. Approval of July 31, August 11, and August 17 meeting minutes
7. Communications
8. July Monthly Financial Report for Register of Deeds – Staci Hoffman
9. July Monthly Financial Report for Land Information Office – Matt Zangl
10. August Monthly Financial Report for Zoning – Matt Zangl
11. Discussion on Solar Energy Facilities
 - a. Crawfish River Solar
 - b. Badger State River
12. Discussion on WE Energies Liquefied Natural Gas (LNG) Facility in the Town of Ixonia
13. Discussion and Possible Action on Amending the Jefferson County Comprehensive Plan and Agricultural Preservation and Land Use Plan along with the County Zoning Ordinance to allow A-3 lots to be subdivided
14. Discussion and Possible Action on a Public Participation Plan to Amend the Jefferson County Comprehensive Plan and Farmland Preservation Plan to allow A-3 zoned lots to be divided
15. Discussion and Possible Action on enacting an Erosion Control Ordinance
16. Discussion and Possible Action on enacting a Post-Construction Stormwater Management Ordinance

17. Discussion and Possible Action on Petitions Presented in Public Hearing on August 17, 2023:

**FROM A-1, EXCLUSIVE AGRICULTURAL TO A-2, AGRICULTURAL & RURAL BUSINESS WITH
CONDITIONAL USE PERMIT**

R4488A-23 & CU2100-23 – Daniel Simarron Tecalero & Paolo Rodriguez Perez: Rezone 3.7 acres of PIN 020-0814-2422-001 (10 ac) with conditional use for a recreational facility including pony rides, petting zoo and party room at **W5245 Navan Rd**, Town of Milford. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

FROM AGRICULTURAL A-1 TO A-3, AGRICULTURAL/RURAL RESIDENTIAL

R4489A-23 – Kim & Craig Foelker: Create a 1.19-ac lot with existing home and buildings at **W2607 State Rd 106**, Town of Hebron, on PIN 010-0615-3643-000 (21.091 ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

CONDITIONAL USE PERMIT APPLICATIONS

CU2101-23 – EOE Real Estate LLC, Owner/Jen O'Branovich, Petitioner: Conditional use to allow outdoor events in an existing Business zone at **W9535 US Highway 12**, Town of Oakland, on PIN 022-0613-0731-001 (1.5 ac). This in accordance with Sec 11.04(f)3 of the Jefferson County Zoning Ordinance.

CU2102-23 – Gregory Podkowinski: Conditional use to allow three dogs as household pets in a Residential R-1 zone. The site is at **W1680 County Rd F** on PIN 026-0616-1714-003 (0.13 ac) in the Town of Sullivan. This is in accordance with Sec 11.04(f)1 of the Jefferson County Zoning Ordinance.

CU2103-23 – George Jr & Paul Swart, Owners/One Energy Renewables, Petitioner: Conditional use to allow a solar generation facility near **N1175 Old 26 Rd** on PINs 016-0514-2022-001 (19.773 ac) and 016-0514-1911-000 (51.283 ac) in the Town of Koshkonong. This is in accordance with Sec 11.04(f)6 of the Jefferson County Zoning Ordinance.

18. Possible Future Agenda Items

19. Upcoming Meeting Dates

September 15, 8:00 a.m. - Site Inspections Beginning at Zoning Office, 222 Wisconsin Drive
September 21, 7:00 p.m. - Public Hearing in Highway Department Training Room, 1425 Wisconsin Dr
September 25, 8:30 a.m. - Decision Meeting in Highway Department Committee Room, 1425 Wisconsin Dr
October 13, 8:00 a.m. - Site Inspections Beginning at Zoning Office, 222 Wisconsin Drive
October 19, 7:00 p.m. - Public Hearing in Highway Department Training Room, 1425 Wisconsin Dr
October 30, 8:30 a.m. – Decision Meeting Highway Department Committee Room, 1425 Wisconsin Dr.

20. Adjourn

If you have questions regarding the petitions, please contact the Zoning Department at 920-674-7131. Petition files referenced on this agenda may be viewed at 222 Wisconsin Drive between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays. Materials covering other agenda items can be found at www.jeffersoncountymi.gov.

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 at least 24 hours prior to the meeting so that appropriate arrangements can be made.

A digital recording of the meeting will be available in the Zoning Department upon request.

AGENDA
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
DECISION MEETING

George Jaeckel, Chair; Steve Nass, Vice-Chair; Blane Poulson, Secretary; Matt Foelker, Cassie Richardson

SUBJECT: Planning and Zoning Committee Decision Meeting

DATE: Monday, July 31, 2023

TIME: 8:30 a.m.

PLACE: County Highway Department Committee Room, 1425 Wisconsin Drive, Jefferson, WI

YOU MAY ATTEND VIRTUALLY BY FOLLOWING THESE INSTRUCTIONS:

Register in advance for this meeting:

https://zoom.us/join/zoom/register/tJEkf--hpi4pHd2y7-u8i9MUTAbnqMB_1Qxy

Meeting ID: 959 8698 5379

Passcode: Zoning

After registering, you will receive a confirmation email containing information about joining the meeting

1. Call to Order

The meeting was called to order by Supervisor Jaeckel at 8:30 a.m.

2. Roll Call (Establish a Quorum)

Supervisor Poulson was absent and excused; all other Committee members were present. Also in attendance were Supervisor Anita Martin, staff members Michael Luckey, Matt Zangl, Sarah Elsner, Brett Scherer and Deb Magritz. Attending via Zoom were Register of Deeds Staci Hoffman, Brian Udovich, Terri Persico, Thomas Foelker and S&J.

3. Certification of Compliance with Open Meetings Law

Zangl verified compliance with Open Meetings Law.

4. Approval of the Agenda

It was determined that the Committee would move certain petition items up following the reports to accommodate guests in attendance.

5. Public Comment (Not to exceed 15 minutes and not to include petitions slated for decision. Members of the public who wish to address the Committee on specific agenda items must register their request at this time)

There was no public comment.

6. Approval of June 26, July 14, and July 20 meeting minutes

Motion by Supervisors Nass/Richardson to approve the June 26 minutes as presented. Motion passed 4-0.

Motion by Supervisors Foelker/Richardson to approve the July 14 minutes as presented. Motion passed 4-0.

Motion by Supervisors Richardson/Foelker to approve the July 20 minutes as presented. Motion passed 4-0.

7. Communications

a. Communication from Wisteria Castle, Town of Farmington

Zangl reported on correspondence from Wisteria Castle, noting that they will be providing a one-year report either in January or February of 2024 on their agricultural tourism and what they have done to meet that definition,

8. June Monthly Financial Report for Register of Deeds – Staci Hoffman

Hoffman noted that recordings have been very slow, so her office is working on back indexing. However, they are still meeting budget with 59% of proposed revenues realized.

9. June Monthly Financial Report for Land Information Office – Matt Zangl

Retained fees are lower than anticipated, but this is a non-tax levy account.

10. July Monthly Financial Report for Zoning – Matt Zangl

Zangl reported that Zoning revenues are doing pretty well, with each month of 2023 coming in over those of 2022. New homes have been coming in and cell towers earlier in the year account for greater revenues.

The Committee continued to R4485A-23 from agenda item 22, for Penny Cerchio

22. Discussion and Possible Action on Petitions Presented in Public Hearing on July 20, 2023:

APPROVED WITH CONDITIONS R4485A-23 on a motion by Supervisors Nass/Foelker for Penny A Cerchio to rezone part of PIN 024-0516-3421-000 (9.902 ac) to create a 4-ac lot at **W1275 South Shore Dr** in the Town of Palmyra. This is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

The Committee continued to agenda item 14 for Thomas & Mark Foelker

14. Discussion and Possible Action on Amending R4474A-23 (Mark Foelker/ABC Acres – PIN 010-0615-2741-000) and R4475A-23 (Thomas Foelker/ABC Acres – 010-0515-1212-000), both in the Town of Hebron, to transfer one acre from R4474A-23 and to add it to R4474A-23 creating a 4.86 acre lot and a 3.87 acre lot

Zangl explained the request to maintain the six acres approved for the two petitions, but to even out the acreage from ABC Acres for each petitioner at 3 acres each. He showed the revised preliminary survey and how the acreage is proposed to be divided. Motion by Supervisors Nass/Richardson to approve the revision and the motion passed 3-0, with Supervisor Foelker abstaining.

The Committee continued to CU2099-23 from agenda item 22 for Jonathan F Jones

APPROVED WITH CONDITIONS CU2099-23 on a motion by Supervisors Nass/Foelker for Jonathan F Jones, allowing a conditional use to allow for up to 9 dogs in an A-3 zone at **W9147 Waldman Rd**, PIN 028-0513-0521-004 (1.062 ac), in the Town of Sumner. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

11. Discussion on Solar Energy Facilities

a. Crawfish River Solar

Crawfish River Solar's quarterly report to the PSC was included in the Committee packets. Zangl reported that three-quarters of the segments have gone live, and the remaining quarter will be live soon. The vegetation phase and clean-up phase are next before turning it over to Alliant. Zangl is hoping to get the Committee a site visit soon.

b. Badger State River

Zangl reported that Badger State Solar is moving forward, hoping to start construction in the Spring. Highway access is being worked out, as is getting plans complete for review and permitting.

12. Discussion on WE Energies Liquefied Natural Gas (LNG) Facility in the Town of Ixonia

This project is also in its final stages. The next step is filling the tanks with water to test for leaks, and then slowly discharging the water into the overflow basin and releasing it into the landscape. Construction completion is planned for the end of the year.

13. Discussion on Air, Surface Water, Groundwater, and Health Concerns Relating to Animal Operations and their Regulation

a. Erosion Control and Stormwater Management Ordinances

The group decided to approve the ordinances as they were and move them forward to the Planning and Zoning Committee for action as they see fit. They will be on for August's Committee decision meeting when more discussion can take place.

15. Discussion and Possible Action on Request by Timothy Otterstatter for a holding tank waiver at W2866 East Gate Dr on PIN 032-0815-1223-000, Town of Watertown

Zangl explained that the subject is a lower, wetter area and the building and business were approved a few years ago. A letter from the plumber was discussed. Motion by Supervisors Foelker/Nass to approve the request, and the motion passed 4-0.

16. Discussion and Possible Action on Request by Scott Schiefelbein for a holding tank waiver at N6077 Country View, PIN 006-0716-2212-004, Town of Concord

Zangl explained generally the need for a holding tank waiver. He explained this request in particular. No soil test has been completed. Nass asked for more information, including soil borings and the use of the building. Motion by Supervisors Nass/Richardson to postpone action until more information is provided. Motion passed 4-0.

17. Discussion and Possible Action on Replacing a Single-Family Home in an A-1 Zone at N2628 Kutz Road, PIN 016-0614-3541-003 in the Town of Koshkonong

Zangl noted the 2022 ordinance requirements for replacing a single-family home. He described the property and listed some setback limitations and septic system opportunities. Supervisor Martin asked whether it was in a drainage district. Motion by Supervisors Nass/Foelker to approve with a mound system. Motion passed 4-0.

18. Discussion and Possible Action on the Preliminary Plat of Oakland Hills Subdivision in the Town of Oakland near N4510 County Road A owned by John and Anne Didion

Zangl noted that the map has been modified to show the 75-foot setback to wetlands. Access to US Highway 18 has been more or less denied, though there is a reservation shown on the plat for access onto US Highway 18. There have been discussions about what the interchange and access will look like onto County Road A and potentially a second access there. Zangl will ask for an emergency response plan for access.

19. Discussion and Possible Action on Amending the Jefferson County Comprehensive Plan and Agricultural Preservation and Land Use Plan along with the County Zoning Ordinance to allow A-3 lots to be subdivided

Zangl explained the regulations that would be imposed on existing A-3 divisions: only lots created prior to February 8, 2000 would be eligible for further division; at the most, two additional lots may be requested; all Comprehensive Plan and Farmland Preservation Plan standards must be met. Motion by Supervisors Jaeckel/Richardson to approve the language and begin the amendment process. Motion passed, 4-0.

20. Discussion on Planning and Zoning Department and Land Information Office 2024 Budget

Zangl reported that the budget has a placeholder for another Zoning technician. This may allow agent status with the State which would provide better service to contractors and landowners. He noted that the Zoning and Land Information Departments have met levy goals. In the Land Information budget there is also another placeholder for a GIS person which would allow more services to other municipalities and moving ahead with updates to GIS. He is also proposing a new GPS unit at a cost of about \$3,000 which will help map out septic systems while in the field.

21. Discussion and Possible Action on 2024 Fee Schedule

Zangl reviewed proposed changes. There would be a fee added for shoreland projects, navigability determination, mitigation, impervious surface calculations. A-1 rates would go up depending on size of the project. A fee would be charged for verification letters. Some sanitary permit fees would also be changed. Motion by Supervisors Nass/Foelker to approve the proposed 2024 fee schedule. Motion passed 4-0.

PLEASE SEE INDIVIDUAL FILES FOR A COMPLETE RECORD OF THE FOLLOWING DECISIONS:

22. Discussion and Possible Action on Petitions Presented in Public Hearing on July 20, 2023:

APPROVE WITH CONDITIONS R4480A-23 on a motion by Supervisors Nass/Foelker for Jenny DeBlare/Kimberly M & Mardell E Emslie Trust to rezone part of PIN 014-0615-1521-000 (40.00 ac) to create a 3-ac building site on the **corner of Wolf Rd and S Helenville Rd**, Town of Jefferson. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 4-0.

APPROVE WITH CONDITIONS R4481A-23 on a motion by Supervisors Nass/Foelker for Walter Trust (Sarah Walter)/Roland F & Lois V Zabel (LE) to rezone part of PIN 020-0814-2414-000 (26.820 ac) to create two 1-ac building sites on **Hilltop Rd**, Town of Milford. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 4-0.

Trust to rezone part of PIN 032-0815-0134-000 (40.00 ac) to create three 1-ac A-3 lots at **W2762 Gopher Hill Rd** in the Town of Watertown. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 4-0.

APPROVE WITH CONDITIONS R4483A-23 on a motion by Supervisors Nass/Foelker for Cullen Schmeling/Dane County Growers to rezone part of PIN 028-0513-1932-000 (50.106 ac) to create a 1-ac building site off **Oldson Rd** in the Town of Sumner. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 4-0.

APPROVE WITH CONDITIONS R4484A-23 & CU2096-23, both on motions by Supervisors Nass/Foelker for Cullen Schmeling/Dane County Growers to rezone part of PINs 028-0513-1932-000 (50.106 ac) zoned A-1 and 028-0513-1933-000 (43.694 ac) zoned A-T to create an approximate 14-ac Natural Resource lot with conditional use to allow for agricultural use including farm-type animals off **Olson Rd** in the Town of Sumner. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance. Motion passed 4-0.

NO ACTION WAS TAKEN ON THIS PETITION BECAUSE NO ONE WAS AT PUBLIC HEARING TO REPRESENT THE PETITION: R4486A-23 & CU2097-23 – Joan Evans Krueger: Rezone all of PIN 012-0816-2222-003 (3.79 ac) with conditional use to allow for carpentry and fabrication business off **North Rd** in the Town of Ixonia. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

APPROVE WITH CONDITIONS R4487A-23 on a motion by Supervisors Foelker/Richardson for K&V Farms LLC to rezone part of PIN 014-0614-1242-000 (39.537 ac) to create an approximate 2.6-acre lot around the existing barn at **N4283 County Road Y** in the Town of Jefferson. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. Motion passed 4-0.

APPROVE WITH CONDITIONS CU2098-23 on a motion by Supervisors Nass/Foelker for Kira & Rita Midland to grant a conditional use allowing for up to 7 dogs as household pets in an A-1 zone at **N8362 River Valley Rd**, PIN 012-0816-2214-000 (20.527 ac), in the Town of Ixonia. This is in accordance with Sec. 11.04(f)6 of the Jefferson County Zoning Ordinance. Motion passed 4-0.

23. Possible Future Agenda Items

24. Upcoming Meeting Dates

August 11, 8:00 a.m. - Site Inspections Beginning at Zoning Office, 222 Wisconsin Drive-**Nass may be absent**
August 17, 7:00 p.m. - Public Hearing in Highway Department Training Room, 1425 Wisconsin Dr
August 28, 8:30 a.m. - Decision Meeting in Highway Department Committee Room, 1425 Wisconsin Dr
September 15, 8:00 a.m. - Site Inspections Beginning at Zoning Office, 222 Wisconsin Drive
September 21, 7:00 p.m. - Public Hearing in Highway Department Training Room, 1425 Wisconsin Dr
September 25, 8:30 a.m. – Decision Meeting Highway Department Committee Room, 1425 Wisconsin Dr.

25. Adjourn

Motion by Supervisors Richardson/Foelker to adjourn the meeting. Motion passed 4-0, and the meeting adjourned at 9:55 a.m.

If you have questions regarding the petitions, please contact the Zoning Department at 920-674-7131. Petition files referenced on this agenda may be viewed at 222 Wisconsin Drive between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays. Materials covering other agenda items can be found at www.jeffersoncountyiwi.gov.

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 at least 24 hours prior to the meeting so that appropriate arrangements can be made.

A digital recording of the meeting will be available in the Zoning Department upon request.

**MINUTES OF THE
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
SITE INSPECTIONS**

George Jaeckel, Chair; Steve Nass, Vice-Chair; Blane Poulson, Secretary; Matt Foelker, Cassie Richardson

SUBJECT: Planning and Zoning Committee Site Inspections
DATE: Friday, August 11, 2023
TIME: 8:00 a.m.
PLACE: Zoning Office, 222 Wisconsin Drive, Jefferson, WI

1. Call to Order

The meeting was called to order by Supervisor Jaeckel at 8:01 a.m.

2. Roll Call (Establish a Quorum)

Committee members present were Supervisors Jaeckel, Poulson, and Foelker. Supervisor Nass was absent and excused; Supervisor Richardson was on her way. Zoning Department Staff members present were Matt Zangl, Sarah Elsner and Deb Magritz. Joe Strupp from the Land and Water Conservation Department was also in attendance.

3. Certification of Compliance with Open Meetings Law

Poulson verified that the meeting was held in compliance with Open Meetings.

4. Approval of the Agenda

Motion by Supervisors Poulson/Foelker to approve the agenda. Motion passed 3-0.

5. Public Comment (Not to exceed 15 minutes and not to include petitions slated for decision. Members of the public who wish to address the Committee on specific agenda items must register their request at this time)

There was no public comment.

6. Communications

There were no communications.

Supervisor Richardson arrived at 8:03 a.m.

7. Discussion and Possible Action on an amendment to CU1826-2015 for Katzman Farms INC on PIN 010-0515-1122-000 near W3223 Hoffman Road. The proposed amendment is to construct an approximate 19,140 sq. ft. livestock housing facility without changing the total number of animal units.

A roll call was taken, with Supervisors Jaeckel, Poulson, Foelker and Richardson signifying their attendance.

Strupp explained the request. He noted that the applicant is planning to add a transient barn for calf housing. It will not add to the total number of animals, and therefore the odor score will not change. Zangl went on to say that the original conditional use for intensive agricultural was approved in 2015 or 2016. A change such as the one proposed is generally taken just to the Planning and Zoning Committee for action, though it could be sent to public hearing if the Committee so chose. The Land and Water Conservation Department found the application to be complete. There was a motion by Supervisors Poulson/Richardson to approve the request. A roll call vote was taken, with Supervisors Poulson, Foelker, Richardson and Jaeckel all voting in favor of the request.

The Committee left for the following site inspections:

8. Site Inspections for Petitions to be Presented in Public Hearing on August 17, 2023:

R4488A-23 & CU2100-23 – Daniel Simarron Tecalero & Paolo Rodriguez Perez: Rezone 3.7 acres of PIN 020-0814-2422-001 (10 ac) with conditional use for a recreational facility including pony rides, petting zoo and party room at **W5245 Navan Rd**, Town of Milford. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

CU2101-23 – EOE Real Estate LLC, Owner/Jen O’Branovich, Petitioner: Conditional use to allow outdoor events in an existing Business zone at **W9535 US Highway 12**, Town of Oakland, on PIN 022-0613-0731-001 (1.5 ac). This in accordance with Sec 11.04(f)3 of the Jefferson County Zoning Ordinance.

CU2103-23 – George Jr & Paul Swart, Owners/One Energy Renewables, Petitioner: Conditional use to allow a solar generation facility near **N1175 Old 26 Rd** on PINs 016-0514-2022-001 (19.773 ac) and 016-0514-1911-000 (51.283 ac) in the Town of Koshkonong. This is in accordance with Sec 11.04(f)6 of the Jefferson County Zoning Ordinance.

R4489A-23 – Kim & Craig Foelker: Create a 1.19-ac lot with existing home and buildings at **W2607 State Rd 106**, Town of Hebron, on PIN 010-0615-3643-000 (21.091 ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

CU2102-23 – Gregory Podkowinski: Conditional use to allow three dogs as household pets in a Residential R-1 zone. The site is at **W1680 County Rd F** on PIN 026-0616-1714-003 (0.13 ac) in the Town of Sullivan. This is in accordance with Sec 11.04(f)1 of the Jefferson County Zoning Ordinance.

9. Adjourn

Motion by Supervisors Foelker/Poulson to adjourn the meeting. Motion passed on a voice vote, and the meeting adjourned at 10:07 a.m.

If you have questions regarding the petitions, please contact the Zoning Department at 920-674-7131. Petition files referenced on this agenda may be viewed at the Zoning Office between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays. Materials covering other agenda items can be found at www.jeffersoncountymi.gov.

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 at least 24 hours prior to the meeting so that appropriate arrangements can be made.

A digital recording of the meeting will be available in the Zoning Department upon request.

Register of Deeds July 2023	Output Measures			YR to Date	Current Yr. Target
Program/Service Description	2021	2022	2023	Totals	%
Documents Recorded	1,635	1,014	846	5,642	44%
Vital Records Filed	197	203	206	1,292	62%
Vital Record Copies	1,455	1,363	1,302	9,558	63%
ROD Revenue (Gross Total)	\$ 240,983.12	\$ 230,223.68	\$ 163,477.84	\$1,206,800.91	71%
Transfer Fees	\$ 33,954.64	\$ 35,723.40	\$ 23,722.50	\$ 181,744.14	91%
LIO Fees	\$ 13,731.00	\$ 8,762.00	\$ 7,410.00	\$ 49,404.00	45%
Document Copies	\$ 7,339.17	\$ 7,224.11	\$ 6,489.92	\$ 39,174.83	71%
Laredo	\$ 3,645.75	\$ 4,600.57	\$ 3,870.42	\$ 26,315.38	82%
ROD Revenue to General Fund	\$ 74,926.56	\$ 67,761.68	\$ 51,495.84	\$ 366,102.35	69%
Percentage of Documents eRecorded	68%	73%	80%	68%	
Budget Goals Met	Yes	Yes	Yes	Yes	Yes
Back Indexed	7,597	2,044	3,413	74,422	372%

Wisconsin Register of Deeds Association:

dollars in lost revenue. The WRDA will be hosting a joint session with WLIA to promote PRIA Local at their fall conference. Property Records Industry Association (PRIA) believes that government and private business can work together, with mutual respect, to address common issues in the world of property transactions.

Register of Deeds Office:

The staff continues to work on back indexing documents for easier access. Giving our searchers and staff the ability to search documents by name and legal description back to 1953. The staff averages one year of back indexing per month. We are also working to plan the move back to the courthouse, hopefully our books can be moved prior to the staff being relocated, this is a big project.

Wisconsin Counties Association Board of Directors:

Please plan to attend WCA's fall conference if possible, there are many important issues being voted on for WCA to work on legislatively.

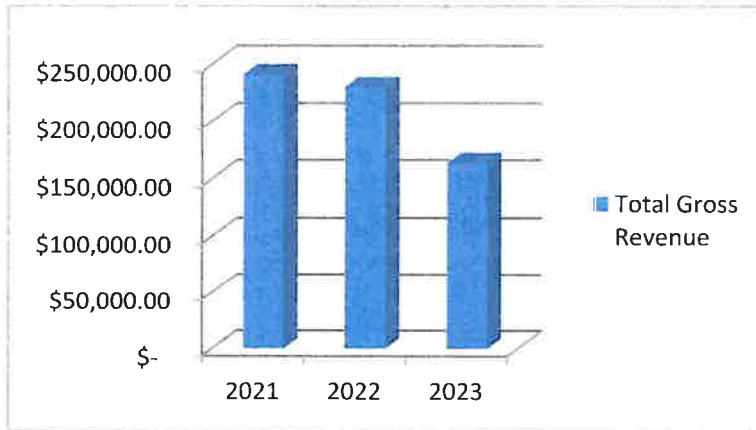
Wisconsin Public Records Board:

The Policy and Governance Committee met to review and revise language used on public records board forms and templates.

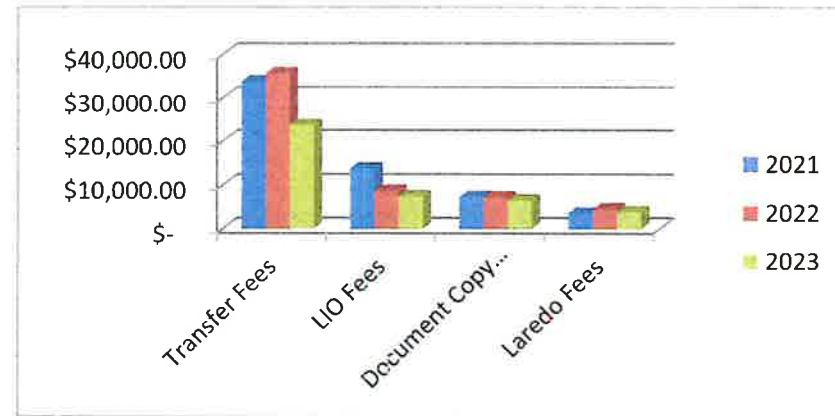
Register of Deeds Year to Date Budget Report

Jul-23

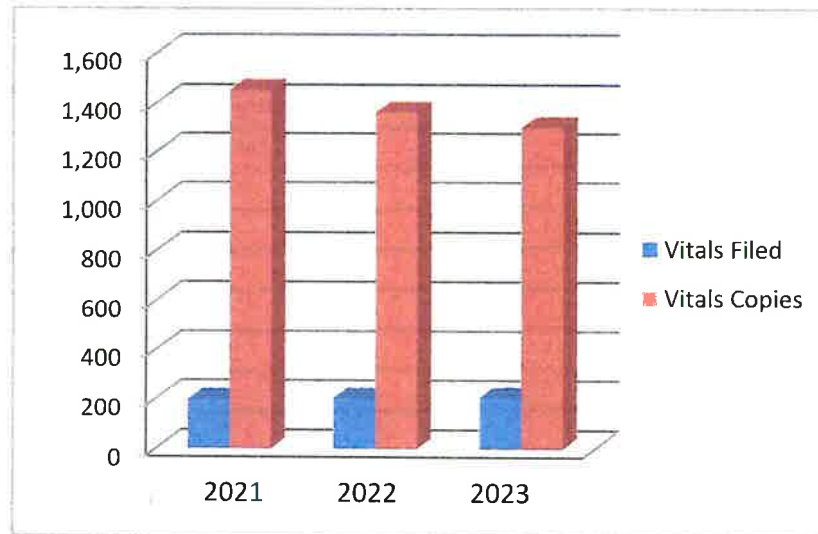
ROD Total Gross Revenues



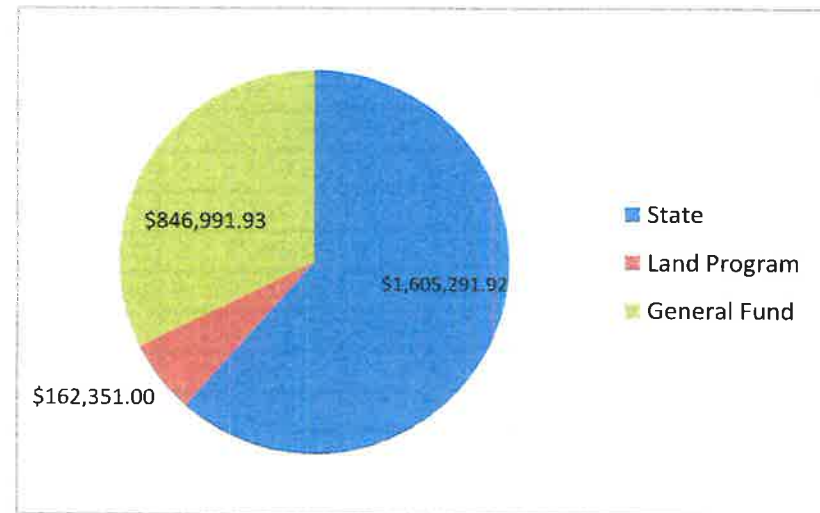
Land Related Revenue



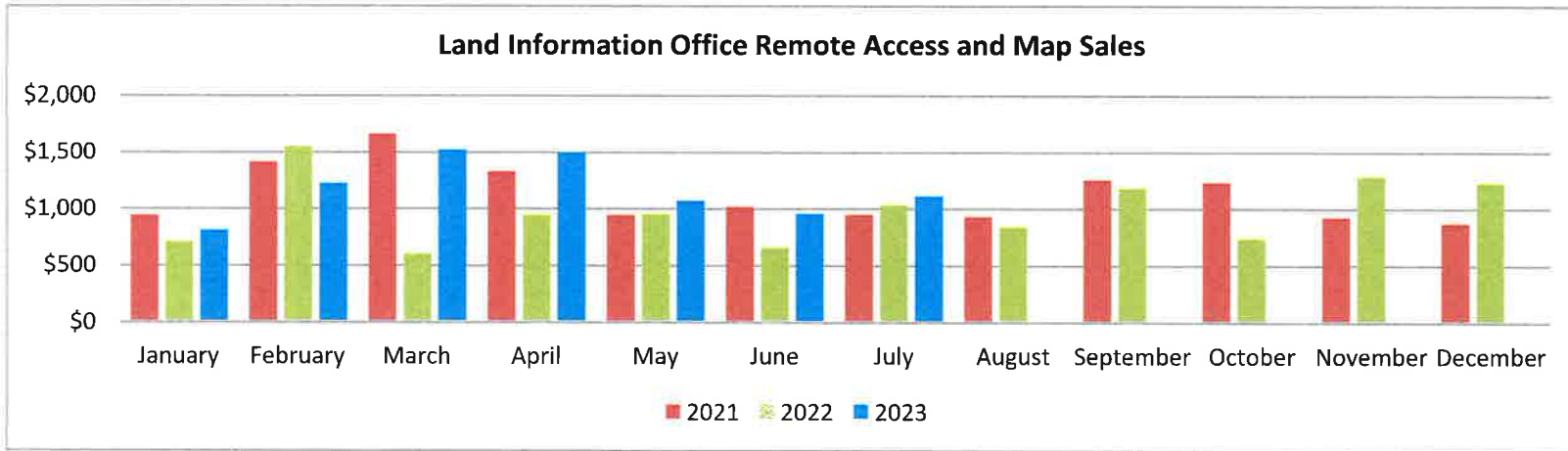
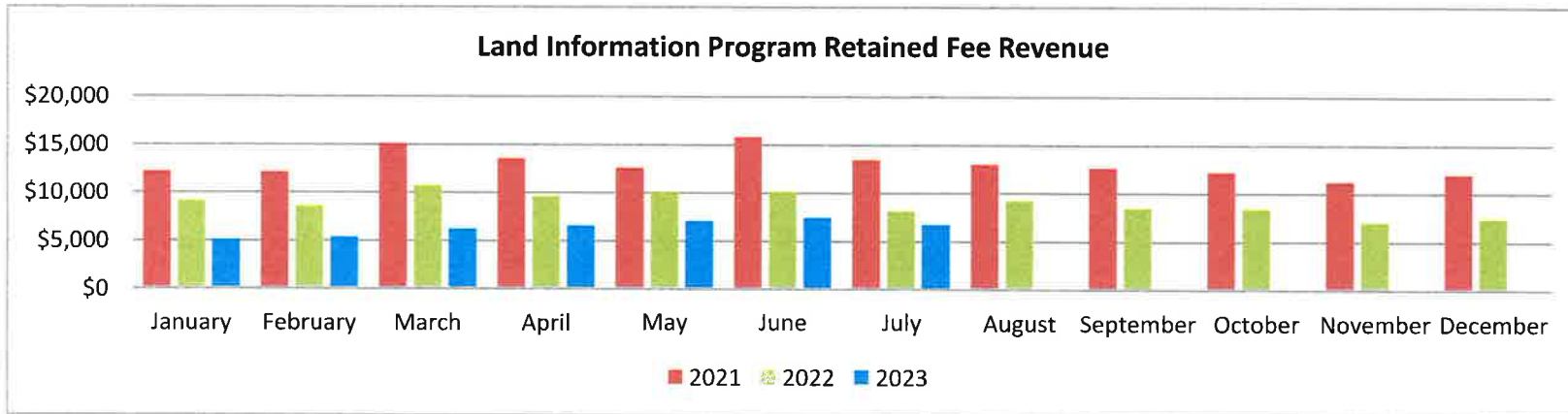
Vital Records



Year to Date Revenue Payout



Land Information Monthly Revenue Report July 2023

[illegible]

Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec	Total	Budget	
5,088	5,328	6,168	6,528	7,032	7,392	6,688		0	0	0	0	0	44,224	102,000
													43.4%	

Jefferson County Planning and Zoning Department
Monthly Ledger Report
08-25-2023

	RF	WFG	OP	PFC	MC	PSS(STF	FQAS	FAA	FPFC	SRFWF	ZOF	Refunds	2023 Totals	2022 Tot
MTH	1.239022	7102.421001	2901.432099	2901.451002	2901.472003	2901.432002	2901.458010	2901.458015	2901.458014	2901.458001	2901.458002	2901.441002			
Jan	330.00		6,360.00	607.83		1,675.00	640.00							9,612.83	18,717.8
Feb	540.00		14,555.00	100.00		2,925.00	240.00						200.00	18,360.00	13,722.0
Mar	670.00		20,515.00	210.63		3,800.00	800.00							25,995.63	21,444.0
Apr	540.00		18,535.00	103.54	2.50	3,025.00	640.00			20.00			30.00	22,866.04	21,977.0
May	600.00		12,965.00	1.25	3.75	5,925.00	1,760.00							21,255.00	20,502.0
June	750.00		15,835.00	1.25		8,125.00	1,280.00							25,991.25	20,129.0
July	690.00		13,905.00	5.04		6,575.00	1,040.00							22,215.04	19,817.0
Aug	690.00		10,305.00	22.41		5,375.00	720.00							17,112.41	22,023.0
Sept															17,850.0
Oct															20,225.0
Nov															12,466.0
Dec															10,385.0
Total	4,810.00		112,975.00	1,051.95	6.25	37,425.00	7,120.00			20.00			230.00	163,408.20	219,259.0

2022 Actual Zoning Deposit:Please Enter Deposit

2023 Budget Revenues: Please Enter Revenues

2023 Deposits YTD:\$163,408.20



Jefferson County

PLANNING AND ZONING DEPARTMENT
COURTHOUSE, 311 S CENTER ST., JEFFERSON, WI 53549
ROOM 201 PHONE 920-674-7130 FAX 920-674-7525

TO: Town Clerks
Town Planning Commission Members
Town Board Members

DATE: August 10, 2023

RE: Amending Section 11.04(f)8 (A-3 Agricultural/Rural Residential) of the Jefferson County Zoning Ordinance and an Amendment to the County Comprehensive Plan and Farmland Preservation Plan

The Planning and Zoning Committee recently reviewed section 11.04(f)8 of the Jefferson County Zoning Ordinance (A-3 Agricultural/Rural Residential Zone). The Committee recommended further reviewing section 11.04(f)8.xiii Maximum Number of Lots as it relates to dividing existing A-3 zoned lots. The Committee recommends amending this section of the ordinance to allow some A-3 lots to be redivided.

Attached is proposed language to allow existing A-3 lots to be redivided to create additional lots.

- Only lots zoned or created prior to February 8, 2000 are eligible
 - February 8, 2000 is the date of which the County adopted the first Comprehensive Plan which included the current A-3 zoning provisions.
- A maximum of two (2) additional lots may be created
- New and remaining lots will need to meet the current size standards (minimum of 1.00 acre, 66 feet of frontage and access along a public road, pass for a septic system, etc.)
- The division process will follow the same procedure as a rezone. The County will receive the application and forward to the Town for your recommendation. The County will hold a public hearing on the proposed land division.

A copy of section 11.04(f)8 is included, as well as a short version indicating the proposed amendment.

Along with an amendment to the zoning ordinance, the County will need to amend the County Comprehensive Plan and Farmland Preservation Plan.

Please review the changes at the Town level, complete the Town Decision Sheet, and return it to our Department. Please return the decision sheet as soon as possible. Our goal is to have this ordinance amendment approved by the County Board in early 2024.

If you have any questions, please feel free to reach out.

Thank you,

A handwritten signature in black ink, appearing to read "Matt Zangl". The signature is stylized with a large "M" and a long, sweeping "Z" that ends in a horizontal line.

Matt Zangl
Director of Planning and Zoning
Jefferson County Planning and Zoning Department
mattz@jeffersoncountywi.gov
920-674-8638

PETITION TO AMEND ZONING ORDINANCE

TO: JEFFERSON COUNTY CLERK
JEFFERSON COUNTY BOARD OF SUPERVISORS

Text Amendment

PETITION NO. _____

THIS PETITION, MADE UNDER AND PURSUANT TO PROVISIONS OF §59.97(5)(e)1, WISCONSIN STATS., REQUESTS THE JEFFERSON COUNTY BOARD OF SUPERVISORS TO AMEND THE ZONING ORDINANCE OF JEFFERSON COUNTY.

Jefferson Co. Zoning Commission ^{the} ordinance
(Petitioner's Name-Please Print) REQUEST THAT THE ZONING MAP OF THE TOWN OF Jeff Co.

BE AMENDED TO CHANGE THE ZONING CLASSIFICATION OF THE PROPERTY DESCRIBED

FROM Text Amendment DISTRICT TO _____

PROPERTY DESCRIPTION

Tax Parcel/
PIN Number _____ Property Address _____

Subdivision _____ Lot _____ Block _____ CSM _____ Vol. _____ Page _____

Parent Parcel Size _____ Present Use _____

PROPERTY OWNER(S)

Name _____ Mailing Address _____
Street City State Zip

Phone Number _____ E-Mail Address _____

PLEASE ATTACH THE FOLLOWING WITH YOUR COMPLETED APPLICATION FORM. Failure to submit a completed application that includes the below-mentioned items could delay scheduling your petition for the next public hearing. All pages including plot plan to be no larger than 11" X 17".

1. Preliminary Certified Survey delineating proposed land division.
2. Reasons for rezoning, evidence that the rezoning meets the Jefferson County Agricultural Preservation and Land Use Plan and Jefferson County Ordinances.
3. Type of use proposed and structures needed.
4. Land modifications necessary.
5. If rezoning from A-1 or N, please refer to the standards for approval on the reverse side of this application.
6. Town Board decision.
7. Other pertinent information such as proposed road access, extraterritorial plat review, etc.

REZONING HEARING FEE IS \$300, PRELIMINARY CSM REVIEW FEE IS \$50, and ADMINISTRATIVE FEE FOR REZONING OUT OF THE A-1 DISTRICT IS \$100. Jefferson County Planning and Zoning, 311 S Center Ave. Room 201, Jefferson, WI 53549. Soils Report by Certified Soil Tester and a Final Certified Survey Map May Be Required Following Approval. Keep a copy of the application and attachments to give to the Town.

PETITIONERS/OWNERS UNDERSTAND THAT NOTICE OF PUBLIC HEARING WILL BE SENT TO THEM, TO TOWNSHIP OFFICIALS, COUNTY BOARD SUPERVISOR FOR THE AREA OF REZONING, AND PROPERTY OWNERS ACCORDING TO SEC. 11.15 OF THE ZONING ORDINANCE.

AS PETITIONER/OWNER, I UNDERSTAND THAT I MUST CONTACT TOWNSHIP OFFICIALS AND ATTEND A TOWN BOARD/TOWN PLAN COMMISSION MEETING(S) ON THIS MATTER PRIOR TO THE COUNTY'S PUBLIC HEARING; I UNDERSTAND THAT I MUST ALSO ATTEND THE COUNTY'S PUBLIC HEARING OR SEND AN AGENT TO REPRESENT ME.

(Signature of **OWNER**) _____

(Date) _____

(Address, if Different From Above) _____

(Signature of **PETITIONER**) _____

(Date) _____

311 S. Center Ave Jefferson
(Address, if Different From Above)

Extraterritorial _____
County Board Supervisor _____
Decision Sheet sent to Town on _____

TOWN OF _____

DATE: _____

TO: **Jefferson County Planning and Zoning Committee**

RE: **Jefferson County Zoning Petition No.** _____

Filed by Jefferson County Planning and Zoning for an
amendment to section 11.04(f)8 of the Jefferson County Zoning
Ordinance to allow for redivision of existing A-3 lots.

The Town of _____ **, having considered the above described**
petition

for which a Town meeting was held on _____ **,**

finds _____

**When the Town submits this form to the Zoning Department, the petition can
be scheduled for the next available Jefferson County Planning and Zoning
Committee public hearing.**

Signed _____ **, Town Chair**

Attest _____ **, Town Clerk**

This document complies with Chapter 59.69, Wisconsin Statutes

- vii. **Minimum Yards.** Same as A-3-yard requirements, with the option for greater setbacks set by the Planning and Zoning Committee, dependent upon use. [2/8/00, Ord. No. 99-28]
- 8. **A-3 Agricultural/Rural Residential** [title – 2/8/00, Ord. No. 99-28; renumbered 3/13/12, Ord. 2011-28]
 - i. **Purpose.** The purpose of the A-3 Agricultural/Rural Residential District is to allow limited rural residential development on lands in predominantly agricultural areas that are not suited for agricultural production or, due to the proposed location, would have limited impact on agricultural production. Lots are limited in number, size and location to minimize the impacts associated with rural residential development. Residents of this district may experience conditions associated with farming that are not necessarily compatible with rural residential use. This district may be considered within the Agricultural Preservation Areas, Rural Hamlet areas, Environmental Corridor overlay, Urban Services Areas, and Limited-Service Areas, as described in the Jefferson County Agricultural Preservation and Land Use Plan. Within planned Agricultural Preservation Areas, the number of A-3 lots created from a parcel of record shall be limited per the associated policies within that Plan. [Amended 2/8/00, Ord. 99-28; 3/13/12, Ord. 2011-28]
 - ii. **Principal Uses.** [12/21/82, Ord. No. 11]
 - a. Single family dwelling.
 - b. Mobile homes on foundation.
 - c. Community Living Arrangements and Similar Facilities in single family dwelling, 8 or fewer occupants. [am. 01/11/22, Ord No. 2021-16]
 - iii. **Accessory Uses.** [12/21/82, Ord. No. 11]
 - a. Garage, residential.
 - b. On-site parking and storage.
 - c. Residential accessory uses.
 - d. Home occupation, accessory. [4/16/85, Ord. No. 85-4; am. 3/13/12, Ord. 2011-28]
 - e. Professional home office. [cr. 3/13/12, Ord. 2011-28]
 - f. Home childcare.
 - g. Household pets.
 - h. Raising/keeping of farm animals provided that parcel is 2.0 acres or larger and number of animals will not exceed one animal unit per 1.0 acre. [am. 2/8/00, Ord. No. 99-28]
 - i. Growing of field crops.
 - j. Roadside stands.
 - k. Local utilities. [re-lettered 3/13/12, Ord. 2011-28]
 - l. stable, agricultural [am. 01/11/22, Ord No. 2021-16]
 - iv. **Conditional Uses.** [12/21/82, Ord. No. 11]
 - a. Duplex.
 - b. Non-local utilities.
 - c. Kennel.
 - d. Home occupations, conditional.
 - e. Public and semi-public uses.
 - f. Bed and breakfast (as defined in Chapter DHS 197 in the Wisconsin Administrative Code) [11/10/09, Ord. 2009-19]
 - g. Tourist rooming house (as defined in Chapter DHS 195 in the Wisconsin Administrative Code) [11/10/09, Ord. 2009-19]
 - h. Stable, commercial. [cr. 3/13/12, Ord. 2011-28]
 - vi. **Minimum Lot Area.** One (1) acre. [Amended 2/8/00, Ord. No. 99-28]

- vii. **Minimum Width.** One hundred fifty (150) feet.
- viii. **Minimum Depth.** Two hundred (200) feet.
- ix. **Minimum Yards.** Front - Section 11.07(d)2. Rear - 20 feet. Side - 20 feet each. [am. 4/21/87, Ord. No. 87-03]
- x. **Maximum Building Height.** Thirty-five (35) feet, except see Section 11.07(a)2 for height standards for agricultural structures. [cr. 3/13/12, Ord. 2011-28]
- xi. **Maximum Lot Area.** Two (2) acres, with the following possible exceptions and qualifiers:
 - a. Possible lot combinations under the policies for creation of A-3 lots within this Ordinance and the Agricultural Preservation and Land Use Plan, which may allow for larger area in non-prime and prime agricultural land lots (i.e., e.g., one six-acre lot may be substituted for three two-acre lots in non-prime agricultural land or one four-acre lot may be substituted for two two-acre lots in prime agricultural land upon Planning and Zoning Committee and County Board approval). A lot combination may be considered by the Committee in an environmental corridor if enough non-prime agricultural land is available, even though the maximum number of lots may have been reduced due to environmental corridor density provisions described in A-3 Maximum Number of Lots section. [am. 3/13/12, Ord. 2011-28] [am. 01/11/22, Ord No. 2021-16]
 - b. A lot of greater than two (2) acres in area shall be considered by the Planning and Zoning Committee if necessary to accommodate a dwelling built before February 8, 2000, and its driveway and accessory structures, if the town board first approves the preliminary certified survey map. In such cases, lot area around the dwelling and accessory structures shall not exceed the maximum acreage allowed by this section. [am. 3/13/12, Ord. 2011-28]
A lot of up to five (5) acres in area may be considered by the Planning and Zoning Committee in association with a farm consolidation for an existing residence and associated accessory structures, if the residence in question was constructed prior to January 15, 1975 (or was subsequently replaced with a newer home) and the parcel continues to be zoned A-1. [cr. 3/13/12, Ord. 2011-28] [2/8/00, Ord. No. 99-28; lettered 3/13/12, Ord. 2011-28]
- xii. **Maximum Lot Coverage by Buildings.** Maximum lot coverage by principal and accessory structures not to exceed thirty (30) percent of existing lot area. [4/16/85, Ord. No. 85-4]
- xiii. **Maximum Number of Lots.** Three (3) non-prime agricultural land A-3 lots or one (1) or two (2) prime agricultural land A-3 lot(s) with clustering recommended. The number of possible prime agricultural land lots is based on the amount and configuration of land owned (see the lot chart below). With less than fifty (50) acres, one (1) prime agricultural land lot is possible. With fifty (50) acres or more, two (2) prime agricultural land lots are possible. The minimum amount of prime agricultural land shall be utilized when approving the prime lot option. If an option is utilized to mix non-prime and prime agricultural land lots, the prime agricultural land maximum lot numbers shall apply. A-3 lots created since the 1977 adoption of the A-3 zoning district shall also be taken into account when determining how many A-3 lots may be available. All parcels of record may propose the maximum number of lots described in this section unless the number of lots has been reduced due to A-3 lots being created from the parent parcel predating the parcel of record. Each parcel of record would have the possibility of at least one A-3 lot upon Committee review and County Board approval. Existing A-3 lots created since 1977 shall not be further redivided so as to create additional lots. A-3 lots proposed for dwellings constructed prior to December 13, 1977, do not count as having utilized an A-3 lot division. [2/8/00, Ord. No. 99-28]

Environmental corridor overlays described in the plan may also impact the maximum number of possible A-3 lots available as described in the following lot chart by utilizing the development

density of no greater than one dwelling unit per 10 acres. Clear cutting upland wooded environmental corridor areas in existence at the time of the enactment of this ordinance provision shall not increase the number of A-3 lots available (see the environmental corridor detailed policies in the Jefferson County Agricultural Preservation and Land Use Plan). Also, A-2 lots for an agricultural residence shall reduce the number of lots available. [2/8/00, Ord. No. 99-28]

**A-3
AGRICULTURAL/RURAL RESIDENTIAL DISTRICT
LOT CHART**

PARCEL OF RECORD SIZE AT TIME OF ORDINANCE AMENDMENT	PRIOR A-3 SPLITS FROM PARENT PARCEL	MAY USE ONE OR THE OTHER	
		NON-PRIME LOTS PRIME LOTS AVAILABLE (May Use One Or The Other)	AVAILABLE
Less Than 50	3	1	1
	2	1	1
	1	2	1
	0	3	1
50 or Greater	3	1	1
	2	1	1
	1	2	1
	0	3	2

[2/8/00, Ord. No. 99-28]

In order to achieve safer access, more effective clustering or protection of land resources, the Committee may consider the consolidation of multiple parcels of record that are contiguous or divided only by a public road and under the same ownership. In reviewing the consolidation for the purpose of a proposed A-3 lot(s) relocation, the Committee must determine that they would have otherwise approved the number of lots on each separate parcel of record. Any proposed lots relocated in this manner would constitute use of all the lots from that separate parcel of record regardless of the number actually relocated. Proposed lots that would have been approved in a non-prime agricultural soil location cannot be relocated into prime agricultural soils unless the number of proposed lots is reduced to the prime soil numbers as described in the "Maximum Number of Lots" section. Conversely, the number of lots would not be increased if relocated from a prime soil location on the separate parcel of record to a non-prime agricultural soil location on the consolidated parcel of record. Town approval is required for any request for consolidation of parcels of record. [Created 09/11/06, Ord. 2006-15]

- xiii. **Maximum Number of Lots.** Three (3) non-prime agricultural land A-3 lots or one (1) or two (2) prime agricultural land A-3 lot(s) with clustering recommended. The number of possible prime agricultural land lots is based on the amount and configuration of land owned (see the lot chart below). With less than fifty (50) acres, one (1) prime agricultural land lot is possible. With fifty (50) acres or more, two (2) prime agricultural land lots are possible. The minimum amount of prime agricultural land shall be utilized when approving the prime lot option. If an option is utilized to mix non-prime and prime agricultural land lots, the prime agricultural land maximum lot numbers shall apply. A-3 lots created since the 1977 adoption of the A-3 zoning district shall also be taken into account when determining how many A-3 lots may be available. All parcels of record may propose the maximum number of lots described in this section unless the number of lots has been reduced due to A-3 lots being created from the parent parcel predating the parcel of record. Each parcel of record would have the possibility of at least one A-3 lot upon Committee review and County Board approval. Existing A-3 lots created since 1977 shall not be further redivided so as to create additional lots. A-3 lots proposed for dwellings constructed prior to December 13, 1977, do not count as having utilized an A-3 lot division. [2/8/00, Ord. No. 99-28]

Environmental corridor overlays described in the plan may also impact the maximum number of possible A-3 lots available as described in the following lot chart by utilizing the development density of no greater than one dwelling unit per 10 acres. Clear cutting upland wooded environmental corridor areas in existence at the time of the enactment of this ordinance provision shall not increase the number of A-3 lots available (see the environmental corridor detailed policies in the Jefferson County Agricultural Preservation and Land Use Plan). Also, A-2 lots for an agricultural residence shall reduce the number of lots available. [2/8/00, Ord. No. 99-28]

Proposed Language:

Existing A-3 lots created on or after 1977 February 8, 2000 shall not be further divided so as to create additional lots. A-3 zoned lots created prior to February 8, 2000 may be further divided to create a maximum of two (2) additional lots. The Planning and Zoning Committee shall review and make a decision on the proposed A-3 division. Application for the redivision of an existing A-3 zoned lot shall be made to the Zoning Administrator who shall refer it to the Committee. The Committee shall request an opinion and recommendation from the Town prior to scheduling a public hearing on the application. The Committee shall also request an opinion from the road maintenance authority relating to driveway and access considerations. The Committee shall schedule a public hearing on the application, publish a Class 2 Notice according to Chapter 985, Wisconsin Statutes, and notify, by certified mail, the clerk of the town for which the proposed A-3 division is located and all persons listed in the Jefferson County Land Information Office as owning property within 500 feet of the exterior boundary of the proposed A-3 division at least ten (10) days prior to the hearing date. The Committee shall review the application, site, public hearing testimony, effect on farmland and prime agricultural soil, section 11.11(e)6 of this ordinance, and consistency with the Jefferson County Comprehensive Plan and Agricultural Preservation and Land Use Plan before making a decision.

AGRICULTURAL PRESERVATION AND LAND USE PLAN

A-3 Agricultural/Rural Residential Zoning District Policies

1. Minimize the conversion of prime farmland for residences and other nonfarm development. Creation of new residential lots on prime farmland will be considered by the Planning and Zoning Committee only if the Committee determines that no available non-prime farmland exists on the parcel of record, or that placement of lots on prime farmland provides better protection of land resources than a non-prime location. In addition, per Section. 91.46(2), Wis. Stats., new development may not:
 - a. Convert prime farmland from agricultural use or convert land previously used as cropland, other than a woodlot, from agricultural use if on the farm there is a reasonable alternative location or size for a nonfarm residential parcel or nonfarm residence.
 - b. Significantly impair or limit the current or future agricultural use of other protected farmland.
2. Allow the development of limited new housing within Farmland Preservation Areas following rezoning of the affected lands to the A-3 Agricultural/Rural Residential zoning district, and otherwise in accordance with the following policies:
 - a. From each "parcel of record" as it existed on February 8, 2000, permit no more than 3 new single-family residences to be built on non-prime farmland, and no more than 2 new single-family residences on prime farmland (on parcels 50 acres or less, no more than 1 new single-family residence on prime farmland), subtracting any previous divisions for residences from the "parent parcel" as it existed on December 13, 1977. Such new residences shall be allowed following the creation of new rural residential lots in conjunction with a rezoning process.
 - b. Treat parcels under common ownership divided only by a road as separate "parcels of record" for the purpose of determining the number of allowable A-3 residential lots.

The total number of allowable lots may be shifted between the two "parcels of record" with approval of the County and affected town.

- c. Encourage the clustering of new residential lots adjacent to one another, and to already-created residential lots and dwellings on the same "parcel of record" and on adjacent and across-the-street lands, unless another non-clustered configuration provides for better protection of land resources and rural character.
 - d. Require that each new A-3 lot have a minimum area of 1 acre and a maximum area of 2 acres, except that lots up to 6 acres in area may be created on non-prime farmland provided that the total number of lots is reduced by one for every 2 acres used. For example, a maximum of one 6-acre lot may be created on non-prime farmland, instead of the three 2 acre lots normally allowed.
 - e. ~~Following its creation, do not permit any A-3 lot to be subsequently divided further to create one or more additional lots.~~
 - f. Allow the limited redivision of A-3 zoned lots created prior to February 8, 2000.
3. Maintain detailed tracking of "parent parcels", "parcels of record" and subsequent A-3 divisions via the County Zoning and Planning Department through its computerized Geographic Information System (GIS) tracking capabilities. The County shall require a recorded affidavit as part of the rezoning and land division process to track and limit those "parent parcels" that no longer have the potential for additional rural residential lots under the policies in this Plan.
 4. Where policies for A-3 Agricultural/Rural Residential lots within the adopted town comprehensive plan are stricter than County policies for lands within a designated Farmland Preservation Area, review the rezoning request. If appropriate, support the town in its denial of rezoning requests, so that the stricter policy based on the town's comprehensive plan may be applied.
 5. When the owner of a pre-existing residence legally established before January 15, 1975 desires to divide the land occupied by such residence and accessory buildings from the "parent parcel", in conjunction with a farm consolidation, require the resulting residential lot to be as small as practical, in consideration of a one acre minimum lot size, the desire to keep accessory buildings with the residence, and the future likelihood that farm animals will be kept on the lot. All future farm consolidations lots should be rezoned to the A-3 district, with such lots not counting against the maximum number of new residences allowed for that "parcel of record" as indicated above.



Jefferson County

PLANNING AND ZONING DEPARTMENT

COURTHOUSE, 311 S. CENTER AVE., JEFFERSON, WI 53549-1701

ROOM 201 PHONE (920) 674-7131 FAX 920-674-7525

Public Participation Plan For an Amendment of the Comprehensive Plan and Farmland Preservation Plan

Wisconsin State Statute requires the County Board to adopt a public participation plan to foster public input and participation while updating or amending a Comprehensive Plan or Farmland Preservation Plan. Jefferson County plans to amend the County Comprehensive Plan and Farmland Preservation Plan as it relates to the division of existing A-3 Agricultural and Rural Residential Zoned lots.

Pursuant to Wisconsin Statutes 66.1001 and Chapter 91, two public hearings will be held to discuss the proposed amendment. A public hearing will be held for any member of the public that would like to express interest or opposition to the proposed A-3. The public hearings will be noticed as open meetings. In addition, since Jefferson County has County wide zoning that include all 16 Towns within Jefferson County, the Planning and Zoning Committee will request input from the 16 Towns on the proposed amendment.

The Jefferson County Planning and Zoning Committee will hold a public hearing and the Jefferson County Board of Supervisors will hold a public hearing. A Class I Notice will be published at least 30 days prior to the County Board public hearing. Written comments may be submitted to the Planning and Zoning Department at any point prior to County Board action. Written notice of the proposed amendment will be sent to property owners and lease holders of property with nonmetallic mineral resources.

Please contact the Jefferson County Planning and Zoning Department at 920-674-7131 with any questions or wish to submit written comments.

RESOLUTION NO.

Adopting a Public Participation Plan for amending the Jefferson County Comprehensive Plan and Agricultural Preservation and Land Use Plan

Executive Summary

The Jefferson County Planning and Zoning Committee (Committee) recently reviewed the Jefferson County Zoning Ordinance and recommended reviewing the A-3 Agricultural and Rural Residential zoning district provisions. After review, the Committee recommends amending the language to allow for existing A-3 zoned lots to be redivided. Currently, the County Comprehensive Plan, Farmland Preservation Plan and Zoning Ordinance to not allow for existing A-3 zones to be further divided. In order to amend this section of the Zoning Ordinance, the Comprehensive Plan and Farmland Preservation Plan also need to be amended. In order to amend the Plans, County Board must adopt a public participation plan.

The Planning and Zoning Committee meet numerous times to review the A-3 zoning standards and proposed amendment language. On July 31, 2023 The Planning and Zoning Committee voted 4-0 to initiate the amendment process. The Planning and Zoning Committee met on August 28, 2023 and voted to approve the attached Public Participation Plan and recommended it to be forwarded to the County Board of Supervisors.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, the County may amend its Comprehensive Plan and Agricultural Preservation and Land Use Plan (Farmland Preservation Plan), and

WHEREAS, the Planning and Zoning Committee recommends beginning the amendment process, and

WHEREAS, the Planning and Zoning Committee approved the Public Participation Plan on August 28, 2023 to outline public engagement during the amendment process, and

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors does hereby adopt the attached Public Participation Plan to amend the Jefferson County Comprehensive Plan and Agricultural Preservation and Land Use Plan (Farmland Preservation Plan).

Fiscal Note: This resolution will have no fiscal impact.

Ayes _____ Noes _____ Abstain _____ Absent _____ Vacant _____

Requested by Planning and Zoning Committee

REVIEWED: Administrator: ; Corp. Counsel: ; Finance Director:

August 25, 2023

CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL ORDINANCE

AN ORDINANCE TO CREATE CHAPTER [NUMBER] OF THE [CODE OR ORDINANCES] OF THE [NAME OF MUNICIPALITY] ~~COUNTY OF JEFFERSON~~ RELATING TO THE CONTROL OF CONSTRUCTION SITE EROSION AND SEDIMENTATION RESULTING FROM LAND DISTURBING CONSTRUCTION ACTIVITIES

Formatted: Highlight

TABLE OF CONTENTS

FOREWORD:

Use of this ordinance will foster consistent, statewide application of the construction site performance standards for new development and redevelopment contained in subchapters III and IV of ch. NR 151, Wis. Adm. Code.

The [governing body] of the County of Jefferson [name of municipality] does hereby ordain that Chapter [number] of the [code of ordinances] of the [name of municipality] Jefferson County is created to read as follows:

Formatted: Highlight

CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL

1. AUTHORITY.

- (1) This ordinance is adopted under the authority granted by s. 59.693 Wis. Stats. This ordinance supersedes all provisions of an ordinance previously enacted under s. 59.69 Wis. Stats., that relate to construction site erosion control. Except as otherwise specified in s. 59.693, Wis. Stats., s. 59.69, Wis. Stats., applies to this ordinance and to any amendments to this ordinance.
- (2) The provisions of this ordinance are deemed not to limit any other lawful regulatory powers of ~~the same governing body Jefferson County.~~
- (3) Jefferson County hereby designates the Planning and Zoning Director-Committee to administer and enforce the provisions of this ordinance.
- (4) The requirements of this ordinance do not pre-empt more stringent erosion and sediment control requirements that may be imposed by any of the following:
 - (a) Wisconsin Department of Natural Resources administrative rules, permits or approvals, including those authorized under ss. 281.16 and 283.33, Wis. Stats.
 - (b) Targeted non-agricultural performance standards promulgated in rules by the Wisconsin Department of Natural Resources under s. NR 151.004, Wis. Adm. Code.

2. PURPOSE AND FINDINGS OF FACT

- (1) Jefferson County acknowledges that runoff from land disturbing construction activity carries a significant amount of sediment and other pollutants to the waters ~~of the state which are located~~ in Jefferson County.

- (2) It is the purpose of this ordinance to maintain safe and healthy conditions; prevent and control water pollution; prevent and control soil erosion and sediment discharge; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; preserve ground cover and scenic beauty; and promote sound economic growth by minimizing the amount of sediment and other pollutants carried by runoff or discharged from land disturbing construction activity to waters of the state in the Jefferson County.

3. APPLICABILITY, JURISDICTION, EXEMPTIONS AND WAIVERS

(1) JURISDICTION

- (a) This ordinance applies to land disturbing construction activity on lands within the boundaries and jurisdiction of Jefferson County.

(2) APPLICABILITY

- (a) Erosion Control: Unless otherwise exempted or waived, an erosion control permit under this ordinance shall be required, and all provisions of this ordinance shall apply, to all land disturbing activities, that meet any of the following criteria:

1. ~~Any land disturbing activity associated with non-agricultural development:~~
 - a. ~~Any land disturbing activity w~~Within 300 feet of the ordinary high water mark of a lake, stream or river or within 300 feet of a mapped wetland;
 - b. ~~Any land disturbing activity e~~Equal to or greater than 500 square feet within 301 feet and 1,000 feet of the ordinary high water mark of a lake, stream or river;
 2. Land disturbing activity associated with agricultural facilities that meets the following conditions:
 - a. Any land disturbing activity within 300 feet of the ordinary high water mark of a lake, stream or river or within 300 feet of a mapped wetland;
 - b. Any land disturbing activity equal to or greater than 500 square feet within 301 feet and 1,000 feet of the ordinary high water mark of a lake, stream or river;
 3. Any land disturbing activity equal to or greater than 2,000 square feet, except as provided in sub. (3) Exemptions;
 4. Disturbs 100 lineal feet or more of road ditch, grass waterway, or other land area where surface drainage flows in a defined channel; including the replacement, repair or removal of any underground pipe, utility or other facility;
 5. Laying, boring, repairing, replacing, or enlarging underground pipe, cable, or wire or other facility for a distance of 300 feet or more;
- (b) Notwithstanding the applicability requirements in par. (a), this ordinance applies to construction sites or land disturbing activities of any size that, as determined by the Planning and Zoning Committee or Zoning

Formatted: Highlight

Administrator, have a high risk of soil erosion or water pollution, or that may have a significant adverse impact on environmentally sensitive areas.

(3) EXEMPTIONS

(a) The requirement ~~for the County to issue a permit under this ordinance may be waived by the Planning and Zoning Director for; does not apply to the following:~~

1. The construction of one and two family residential homes if a town building permit has been ~~obtained from~~ issued by the local building inspector which includes ~~as a condition of issuance that all applicable erosion control practices in this ordinance must be complied with and compliance monitored by the Town building inspector to ensure compliance.~~
 - a. ~~The Jefferson County Zoning Administrator reserves the right to require issuance of a permit under this ordinance upon finding that all applicable erosion control practices are not being complied with and to take appropriate enforcement action pursuant to this ordinance.~~
 - b. This exemption only pertains to one and two family homes. It does not pertain to other land disturbing activities such as driveways, land disturbances between the house and OHWM, vegetation clearing, etc.
2. Land disturbing construction activity associated with agricultural practices.
3. Land disturbing construction activity associated with silviculture activities.
4. The maintenance and repair of agricultural drainage ditches if completed in accordance with best management practices and obtaining all other necessary permits.
5. Land disturbing activities directly related to the installation and maintenance of private on-site waste treatment systems, regulated under the Jefferson County Private Onsite Waste Treatment Systems Ordinance, if the site is restored and seeded within 5 business days of commencing land disturbance.
6. Transportation facilities, except transportation facility construction projects that are part of a larger common plan of development such as local roads within a residential or industrial development.
7. A construction project that is exempted by federal statutes or regulations from the requirement to have a national pollutant discharge elimination system permit issued under chapter 40, Code of Federal Regulations, part 122, for land disturbing construction activity.
8. Routine maintenance for project sites that have less than 5 acres of land disturbance if performed to maintain the original line and grade, hydraulic capacity or original purpose of the facility.

Formatted: Highlight

Formatted: Highlight

9. Any road construction or other land disturbing activity by the County, or any municipality within the County. The municipality shall follow the requirements of this ordinance, but shall be exempt from any fee and permitting requirements.
10. Any land disturbing activity that is designed and/or certified by the Land and Water Conservation Department or the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture as part of a soil conservation or water pollution control project shall comply with all of the requirements of this ordinance, but shall be exempted from obtaining a permit.

(4) **WAIVERS**

- (a) The Planning and Zoning Administrator may waive or reduce any or all of the requirements if it is determined that:
 1. The site or activity in question will have no appreciable off-site impact; or
 2. Compliance with the requirement(s) is impractical or impossible due to site conditions or other circumstances beyond the control of the applicant; or
 3. The specific requirement is not necessary for a particular site to ensure compliance with this Ordinance.
- (b) The applicant shall demonstrate to the Zoning Administrator that a performance standard is not achievable and that a lower level of performance is appropriate. In making the assertion that a performance standard is not achievable and that a level of performance different from the performance standard is the maximum extent practicable, the applicant shall take into account the best available technology, cost effectiveness, geographic features, and other competing interests such as protection of public safety and welfare, protection of endangered and threatened resources, and preservation of historic properties.

4. **DEFINITIONS**

- (1) "Administering authority" means a governmental employee, or a regional planning commission empowered under s. 59.693 Wis. Stats., that is designated by Jefferson County to administer this ordinance.
- (2) **"Agricultural facilities" and "agricultural practices,"** has the meaning in s. 281.16 (1), Wis. Stats.
 - (a) Agricultural facility: a structure **primarily associated with an agricultural practice for which at least 50 percent is dedicated to an agricultural practice.**
 - (b) Agricultural practice: beekeeping; commercial feedlots; dairying; egg production; floriculture; fish or fur farming; grazing; livestock raising; orchards; poultry raising; raising of grain, grass, mint and seed crops; raising of fruits, nuts and berries; sod farming; placing land in federal programs in return for payments in kind; owning land, at least 35 acres of

Formatted: Highlight

which is enrolled in the conservation reserve program under 16 USC 3831 to 3836; and vegetable raising.

- (3) "Best management practice" or "BMP" means structural or non-structural measures, practices, techniques or devices employed to avoid or minimize soil, sediment or pollutants carried in runoff to waters of the state.
- (4) "Business day" means a day the office of the Jefferson County is routinely and customarily open for business.
- (5) "Cease and desist order" means a court-issued order to halt land disturbing construction activity that is being conducted without the required permit or in violation of a permit issued by the Jefferson County.
- (6) "Construction site" means an area upon which one or more land disturbing construction activities occur, including areas that are part of a larger common plan of development or sale where multiple separate and distinct land disturbing construction activities may be taking place at different times on different schedules but under one plan. A long-range planning document that describes separate construction projects, such as a 20-year transportation improvement plan, is not a common plan of development.
- (7) "Design Storm" means a hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency and total depth of rainfall.
- (8) "Erosion" means the process by which the land's surface is worn away by the action of wind, water, ice or gravity.
- (9) "Erosion and sediment control plan" means a comprehensive plan developed to address pollution caused by erosion and sedimentation of soil particles or rock fragments during construction.
- (10) "Final stabilization" means that all land disturbing construction activities at the construction site have been completed and that a uniform perennial vegetative cover has been established with a density of at least 70 percent of the cover for the unpaved areas and areas not covered by permanent structures or that employ equivalent permanent stabilization measures.
- (11) "Governing body" means the Jefferson County Board of Supervisors.
- (12) "Land disturbing construction activity" means any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or non-vegetative soil cover, that may result in runoff and lead to an increase in soil erosion and movement of sediment into waters of the state. Land disturbing construction activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities.
- (13) "Landowner" means any person holding fee title, an easement or other interest in property, which allows the person to undertake cropping, livestock management, land disturbing construction activity or maintenance of storm water BMPs on the property.
- (14) "Maximum extent practicable" means the highest level of performance that is achievable but is not equivalent to a performance standard identified in this ordinance as determined in accordance with S. 055 of this ordinance.

- (15) "Performance standard" means a narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.
- (16) "Permit" means a written authorization made by the [administering authority] to the applicant to conduct land disturbing construction activity or to discharge post-construction runoff to waters of the state.
- (17) "Pollutant" has the meaning given in s. 283.01 (13), Wis. Stats.: any dredged spoil, solid waste, incinerator residue, sewage, garbage, refuse, oil, sewage sludge, munitions, chemical wastes, biological materials, radioactive substance, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.
- (18) "Pollution" has the meaning given in s. 281.01 (10), Wis. Stats.: includes contaminating or rendering unclean or impure the waters of the state, or making the same injurious to public health, harmful for commercial or recreational use, or deleterious to fish, bird, animal or plant life.
- (19) "Responsible party" means the landowner or any other entity performing services to meet the requirements of this ordinance through a contract or other agreement.
- (20) "Runoff" means storm water or precipitation including rain, snow or ice melt or similar water that moves on the land surface via sheet or channelized flow.
- (21) "Sediment" means settleable solid material that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.
- (22) "Silviculture activity" means activities including tree nursery operations, tree harvesting operations, reforestation, tree thinning, prescribed burning, and pest and fire control. Clearing and grubbing of an area of a construction site is not a silviculture activity.
- (23) "Site" means the entire area included in the legal description of the land on which the land disturbing construction activity is proposed in the permit application.
- (24) "Stop work order" means an order issued by the Jefferson County which requires that all construction activity on the site be stopped.
- (25) "Technical standard" means a document that specifies design, predicted performance and operation and maintenance specifications for a material, device or method.
- (26) "Transportation facility" means a highway, a railroad, a public mass transit facility, a public-use airport, a public trail or any other public work for transportation purposes such as harbor improvements under s. 85.095 (1)(b), Wis. Stats.
"Transportation facility" does not include building sites for the construction of public buildings and buildings that are places of employment that are regulated by the Department pursuant to s. 281.33, Wis. Stats.
- (27) "Waters of the state" includes those portions of Lake Michigan and Lake Superior within the boundaries of this state, and all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water or groundwater, natural or artificial, public or private, within this state or its jurisdiction.

5. TECHNICAL STANDARDS

- (1) All BMPs required for compliance with this ordinance shall meet design criteria, standards and specifications based on any of the following:
 - (a) Design guidance and technical standards identified or developed by the Wisconsin Department of Natural Resources under subchapter V of chapter NR 151, Wis. Adm. Code.
 - (b) Soil loss prediction tools (such as the Universal Soil Loss Equation (USLE)) when using an appropriate rainfall or runoff factor (also referred to as the R factor) or an appropriate design storm and precipitation distribution, and when considering the geographic location of the site and the period of disturbance.
 - (c) Technical standards and methods approved by the Planning and Zoning Director, [administering authority].

6. PERFORMANCE STANDARDS FOR CONSTRUCTION SITES

- (1) RESPONSIBLE PARTY. The responsible party or applicant shall comply with this section and implement the erosion and sediment control plan developed in accordance with S. 10*.
- (2) EROSION AND SEDIMENT CONTROL PLAN. A written site-specific erosion and sediment control plan shall be developed in accordance with S. 10* of this ordinance and implemented for each construction site.
- (3) EROSION AND OTHER POLLUTANT CONTROL REQUIREMENTS. The erosion and sediment control plan required under sub. (2) shall include the following:
 - (a) EROSION AND SEDIMENT CONTROL PRACTICES. Erosion and sediment control practices at each site where land disturbing construction activity is to occur shall be used to prevent or reduce all of the following:
 1. The deposition of soil from being tracked onto streets by vehicles.
 2. The discharge of sediment from disturbed areas into on-site storm water inlets.
 3. The discharge of sediment from disturbed areas into adjacent waters of the state.
 4. The discharge of sediment from drainage ways that flow off the site.
 5. The discharge of sediment by dewatering activities.
 6. The discharge of sediment eroding from soil stockpiles existing for more than 7 days.
 7. The discharge of sediment from erosive flows at outlets and in downstream channels.
 8. The transport by runoff into waters of the state of chemicals, cement, and other building compounds and materials on the construction site during the construction period. However, projects that require the placement of these materials in waters of the state, such as constructing bridge footings or BMP installations, are not prohibited by this subdivision.
 9. The transport by runoff into waters of the state of untreated wash water from vehicle and wheel washing.

Formatted: Highlight

- (b) SEDIMENT PERFORMANCE STANDARDS. In addition to the erosion and sediment control practices under par. (a), the following erosion and sediment control practices shall be employed:
 - 1. BMPs that, by design, discharge no more than 5 tons per acre per year, or to the maximum extent practicable, of the sediment load carried in runoff from initial grading to final stabilization.
 - 2. No person shall be required to employ more BMPs than are needed to meet a performance standard in order to comply with maximum extent practicable. Erosion and sediment control BMPs may be combined to meet the requirements of this paragraph. Credit may be given toward meeting the sediment performance standard of this paragraph for limiting the duration or area, or both, of land disturbing construction activity, or for other appropriate mechanisms.
 - 3. Notwithstanding subd. 1., if BMPs cannot be designed and implemented to meet the sediment performance standard, the erosion and sediment control plan shall include a written, site-specific explanation of why the sediment performance standard cannot be met and how the sediment load will be reduced to the maximum extent practicable.
- (c) PREVENTIVE MEASURES. The erosion and sediment control plan shall incorporate all of the following:
 - 1. Maintenance of existing vegetation, especially adjacent to surface waters whenever possible.
 - 2. Minimization of soil compaction and preservation of topsoil.
 - 3. Minimization of land disturbing construction activity on slopes of 20 percent or more.
 - 4. Development of spill prevention and response procedures.
- (d) LOCATION. The BMPs used to comply with this section shall be located so that treatment occurs before runoff enters waters of the state.
- (4) IMPLEMENTATION. The BMPs used to comply with this section shall be implemented as follows:
 - (a) Erosion and sediment control practices shall be constructed or installed before land disturbing construction activities begin in accordance with the erosion and sediment control plan developed in S. 08* (2).
 - (b) Erosion and sediment control practices shall be maintained until final stabilization.
 - (c) Final stabilization activity shall commence when land disturbing activities cease and final grade has been reached on any portion of the site.
 - (d) Temporary stabilization activity shall commence when land disturbing activities have temporarily ceased and will not resume for a period exceeding 14 calendar days.
 - (e) BMPs that are no longer necessary for erosion and sediment control shall be removed by the responsible party.

7. PERMITTING REQUIREMENTS, PROCEDURES AND FEES

- (1) PERMIT REQUIRED. No responsible party may commence a land disturbing construction activity subject to this ordinance without receiving prior approval of an erosion and sediment control plan for the site and a permit from the ~~[administering authority]~~ Planning and Zoning Director.
- (2) PERMIT APPLICATION AND FEES. The following items shall be submitted:
 - (a) A completed application form,
 - (b) The applicable fee,
 - (c) An erosion and sediment control plan.
- (3) PERMIT APPLICATION REVIEW AND APPROVAL. The Planning and Zoning Department shall review any permit application that is submitted with an erosion and sediment control plan, and the required fee. The following approval procedure shall be used:
 - (a) Within 30 days of the receipt of a complete permit application, as required by sub. (2), the Planning and Zoning Department shall inform the applicant whether the application and erosion and sediment control plan are approved or disapproved based on the requirements of this ordinance.
 - (b) If the permit application and erosion and sediment control plan are approved, the Planning and Zoning Department shall issue the permit.
 - (c) If the permit application or erosion and sediment control plan is disapproved, the Planning and Zoning Department shall state in writing the reasons for disapproval.
 - (d) The Planning and Zoning Department may request additional information from the applicant. If additional information is submitted, the Planning and Zoning Department shall have 30 days from the date the additional information is received to inform the applicant that the erosion and sediment control plan is either approved or disapproved.
 - (e) Failure by the Planning and Zoning Department to inform the permit applicant of a decision within 30 days of a required submittal shall be deemed to mean approval of the submittal and the applicant may proceed as if a permit had been issued.
- (4) SURETY BOND. As a condition of approval and issuance of the permit, the [administering authority] may require the applicant to deposit a surety bond or irrevocable letter of credit to guarantee a good faith execution of the approved erosion and sediment control plan and any permit conditions.
- (5) PERMIT REQUIREMENTS. All permits shall require the responsible party to:
 - (a) Notify the Planning and Zoning Director ~~[administering authority]~~ within 48 hours of commencing any land disturbing construction activity.
 - (b) Notify the Planning and Zoning Director ~~[administering authority]~~ of completion of any BMPs within 14 days after their installation.
 - (c) Obtain permission in writing from the Planning and Zoning Director ~~[administering authority]~~ prior to any modification pursuant to S. 10* (3) of the erosion and sediment control plan.

- (d) Install all BMPs as identified in the approved erosion and sediment control plan.
 - (e) Maintain all road drainage systems, storm water drainage systems, BMPs and other facilities identified in the erosion and sediment control plan.
 - (f) Repair any siltation or erosion damage to adjoining surfaces and drainage ways resulting from land disturbing construction activities and document repairs in a site inspection log.
 - (g) Inspect the BMPs within 24 hours after each rain of 0.5 inches or more which results in runoff during active construction periods, and at least once each week. Make needed repairs and install additional BMPs as necessary, and document these activities in an inspection log that also includes the date of inspection, the name of the person conducting the inspection, and a description of the present phase of the construction at the site.
 - (h) Allow the [administering authority] to enter the site for the purpose of inspecting compliance with the erosion and sediment control plan or for performing any work necessary to bring the site into compliance with the erosion and sediment control plan. Keep a copy of the erosion and sediment control plan at the construction site.
- (6) PERMIT CONDITIONS. Permits issued under this section may include conditions established by Planning and Zoning Director, [administering authority] in addition to the requirements set forth in sub. (5), where needed to assure compliance with the performance standards in S. 07* or S. 08*.
- (7) PERMIT DURATION. Permits issued under this section shall be valid for a period of 180 days, or the length of the building permit or other construction authorizations, whichever is longer, from the date of issuance. The Planning and Zoning Director, [administering authority] may grant one or more extensions not to exceed 180 days cumulatively. The Planning and Zoning Director, [administering authority] may require additional BMPs as a condition of an extension if they are necessary to meet the requirements of this ordinance.
- (8) MAINTENANCE. The responsible party throughout the duration of the construction activities shall maintain all BMPs necessary to meet the requirements of this ordinance until the site has undergone final stabilization.
8. EROSION AND SEDIMENT CONTROL PLAN
- (1) EROSION AND SEDIMENT CONTROL PLAN REQUIREMENTS.
- (a) An erosion and sediment control plan shall be prepared and submitted to the Planning and Zoning Director, [administering authority].
 - (b) The erosion and sediment control plan shall be designed to meet the performance standards in S. 07*, S. 08* and other requirements of this ordinance.
 - (c) The erosion and sediment control plan shall address pollution caused by soil erosion and sedimentation during construction and up to final stabilization of the site. The erosion and sediment control plan shall include, at a minimum, the following items:

1. Name(s) and address(es) of the owner and/or developer of the site. The application shall also include start and end dates for construction.
 2. Description of the construction site and the nature of the land disturbing construction activity.
 3. Brief description of the development schedule and timeline.
 4. Description of the intended sequence of major land disturbing construction activities for major portions of the construction site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation.
 5. Estimates of the total area of the construction site and the total area of the construction site that is expected to be disturbed by land disturbing construction activities.
 6. Calculations to show the compliance with the performance standard.
 7. Existing data describing the surface soil as well as subsoils, if needed.
 8. Depth to groundwater, if known.
- (d) The erosion and sediment control plan shall include a site map. The site map shall include the following items and shall be at a scale not greater than 100 feet per inch and at a contour interval not to exceed five feet.
1. Existing topography, vegetative cover, natural and engineered drainage systems, roads and surface waters. Lakes, streams, wetlands, channels, ditches and other watercourses on and immediately adjacent to the site shall be shown. Any identified 100-year flood plains, flood fringes and floodways shall also be shown.
 2. Boundaries of the construction site.
 3. Drainage patterns and approximate slopes anticipated after major grading activities.
 4. Areas of soil disturbance.
 5. Location of major structural and non-structural controls identified in the erosion and sediment control plan.
 6. Location of areas where stabilization BMPs will be employed.
 7. Areas which will be vegetated following land disturbing construction activities.
 8. Area(s) and location(s) of wetland on the construction site, and locations where storm water is discharged to a surface water or wetland within one-quarter mile downstream of the construction site.
 9. Areas(s) used for infiltration of post-construction storm water runoff.
- (e) Each erosion and sediment control plan shall include a description of appropriate control BMPs that will be installed and maintained at the construction site to prevent pollutants from reaching waters of the state. The erosion and sediment control plan shall clearly describe the

appropriate erosion and sediment control BMPs for each major land disturbing construction activity and the timing during the period of land disturbing construction activity that the erosion and sediment control BMPs will be implemented. The description of erosion and sediment control BMPs shall include, when appropriate, the following minimum requirements:

1. Description of interim and permanent stabilization practices, including a BMP implementation schedule. The erosion and sediment control plan shall ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized.
 2. Description of structural practices to divert flow away from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from the site. Unless otherwise specifically approved in writing by the [administering authority], structural measures shall be installed on upland soils.
 3. Management of overland flow at all areas of the construction site, unless otherwise controlled by outfall controls.
 4. Trapping of sediment in channelized flow.
 5. Staging land disturbing construction activities to limit exposed soil areas subject to erosion.
 6. Protection of downslope drainage inlets where they occur.
 7. Minimization of tracking at all vehicle and equipment entry and exit locations of the construction site.
 8. Clean up of off-site sediment deposits.
 9. Proper disposal of building and waste material.
 10. Stabilization of drainage ways.
 11. Installation of permanent stabilization practices as soon as possible after final grading.
 12. Minimization of dust to the maximum extent practicable.
- (f) The erosion and sediment control plan shall require that velocity dissipation devices be placed at discharge locations and along the length of any outfall channel as necessary to provide a non-erosive flow from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected.
- (2) EROSION AND SEDIMENT CONTROL PLAN AMENDMENTS. The applicant shall amend the erosion and sediment control plan if any of the following occur:
- (a) There is a change in design, construction, operation or maintenance at the site which has the reasonable potential for the discharge of pollutants to waters of the state and which has not otherwise been addressed in the erosion and sediment control plan.
 - (b) The actions required by the erosion and sediment control plan fail to reduce the impacts of pollutants carried by construction site runoff.
 - (c) The Planning and Zoning Department notifies the applicant of changes needed in the erosion and sediment control plan.

9. FEE SCHEDULE

- (1) The fees referred to in other sections of this ordinance shall be established by the [administering authority] and may from time to time be modified by resolution. A schedule of the fees established by the [administering authority] shall be available for review in [location].

10. INSPECTION

- (1) If land disturbing construction activities are occurring without a permit required by this ordinance, the ~~Planning and Zoning Director, [administering authority]~~ may enter the land pursuant to the provisions of ss. 66.0119 (1), (2), and (3), Wis. Stats.

11. ENFORCEMENT

- (1) The ~~Planning and Zoning Director, [administering authority]~~ may post a stop work order if any of the following occurs:
 - (a) Land disturbing construction activity regulated under this ordinance is occurring without a permit.
 - (b) The erosion and sediment control plan is not being implemented in good faith.
 - (c) The conditions of the permit are not being met.
- (2) If the responsible party does not cease activity as required in a stop work order posted under this section or fails to comply with the erosion and sediment control plan or permit conditions, the ~~Planning and Zoning Director, [administering authority]~~ may revoke the permit.
- (3) If the responsible party, where no permit has been issued or the permit has been revoked, does not cease the activity after being notified by the [administering authority], or if a responsible party violates a stop work order posted under sub. (1), the ~~Planning and Zoning Director, [administering authority]~~ may request the [district attorney, city attorney, town attorney, village attorney or county corporation counsel] to obtain a cease and desist order in any court with jurisdiction.
- (4) The ~~Planning and Zoning Director, [administering authority, board of appeals, or board of adjustment]~~ may retract the stop work order issued under sub. (1) or the permit revocation under sub. (2).
- (5) After posting a stop work order under sub. (1), the [administering authority] may issue a notice of intent to the responsible party of its intent to perform work necessary to comply with this ordinance. The ~~{Planning and Zoning Director, administering authority}~~ may go on the land and commence the work after issuing the notice of intent. The costs of the work performed under this subsection by the [administering authority], plus interest at the rate authorized by [administrative authority] shall be billed to the responsible party. In the event a responsible party fails to pay the amount due, the clerk shall enter the amount due on the tax rolls and collect as a special assessment against the property pursuant to subch. VII of ch. 66, Wis. Stats.
- (6) Any person violating any of the provisions of this ordinance shall be subject to a forfeiture of not less than [amount] nor more than [amount] and the costs of prosecution for each violation. Each day a violation exists shall constitute a separate offense.

- (7) Compliance with the provisions of this ordinance may also be enforced by injunction in any court with jurisdiction. It shall not be necessary to prosecute for forfeiture or a cease and desist order before ~~resorting to injunctive proceedings~~seeking a court ordered injunction.

12. APPEALS

- (1) BOARD OF ADJUSTMENT The Board of Adjustment created pursuant to section [number] of the County's ordinance pursuant to s. 59.694:
- (a) Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Planning and Zoning Director ~~(administering authority)~~ in administering this ordinance except for cease and desist orders obtained under S. 13* (3).
 - (b) May authorize, upon appeal, variances from the provisions of this ordinance which are not contrary to the public interest and where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship; and
 - (c) Shall use the rules, procedures, duties and powers authorized by statute in hearing and deciding appeals and authorizing variances.
- (2) WHO MAY APPEAL. Appeals to the Board of Adjustment may be taken by any aggrieved person or by any office, department or board of Jefferson County affected by any decision of the Planning and Zoning Director ~~(administering authority)~~.

13. SEVERABILITY

- (1) If a court of competent jurisdiction judges any section, clause, provision or portion of this ordinance unconstitutional or invalid, the remainder of the ordinance shall remain in force and not be affected by such judgment.

14. EFFECTIVE DATE

- (1) This ordinance shall be in force and effect from and after its adoption and publication. The above and foregoing ordinance was duly adopted by the [governing body] of the [name of municipality] on the [number] day of [month], [year].

Approved: Attested: Published on [day, month, and year].