

Planning & Zoning Committee

Committee Members

Greg David, Richard Jones, Steve Nass, Donald Reese, Lloyd Zastrow

It is possible that a quorum of the Planning & Zoning Committee will attend this workshop.

- WHAT:** Workshop for Town Boards and Planning Commissions to Assess Current Jefferson County Agricultural Preservation and Land Use Plan (Comprehensive Plan)
- WHERE:** Room 8/9, University Extension/Workforce Development Building
864 Collins Rd., Jefferson (Use South Entrance)
- WHEN:** 7 – 9 p.m. on Monday, December 15, 2008
- FROM:** Bruce Haukom

The Director of Planning and Zoning, Bruce Haukom, and the Director of Economic Development, Dennis Heling, invite you to a discussion on the current Jefferson County Agricultural Preservation and Land Use Plan, to be facilitated by Professor Steve Grabow, Community Development Educator for University Extension-Jefferson County. Jefferson County is in the process of updating the comprehensive plan by emphasizing the economic development element of that plan. Comprehensive plans have seven functional elements and our emphasis with the 1999 plan was on land use. Not much time was spent on economic development and hence the Economic Development Consortium decided to provide detail to that element.

As part of that effort, we would also like to provide an assessment of the current land use plan by hearing from the Towns regarding its strengths and weaknesses. I am including a short report along with this invitation regarding how we have seen the impact on the landscape. Dennis Heling will briefly update you on the progress of the economic development planning efforts and I will summarize my report. After this first 30 to 45 minutes, Steve Grabow will facilitate and capture your comments. We hope you will be able to attend.

**REPORT ON CURRENT STATUS OF EXISTING JEFFERSON COUNTY
AGRICULTURAL PRESERVATION AND LAND USE PLAN
(COMPREHENSIVE PLAN)**

Jefferson County adopted the Jefferson County Agricultural Preservation and Land Use Plan in 1999 and implemented its policies with adoption of zoning ordinances in March 2000. A comprehensive land use plan required by Wisconsin Statutes in order to regulate land uses is made up of seven working elements. With the adopted plan, we decided to focus primarily on the land use element made up of the Agricultural Preservation, Environmental Corridor, Urban Service and Rural Hamlet policy areas. Most recently, the Jefferson County Economic Development Consortium, with the approval of the Jefferson County Board of Supervisors, approved a process to update this plan with a focus on economic development. This is one of the functional elements of a comprehensive plan described in the statutes, and enough time was not given to this extremely important area during the initial planning phase. With the completion of this element, it will serve not only to provide an outline for future strategies to promote a healthy economic future for this county, but also serve as a plan update which is required at ten year intervals. As the economic development consortium steering and core committees proceed with the economic development plan in the next several months, we have decided that it would also be a good idea to assess the success and/or failure of the land use plan portion of the existing comprehensive plan. This initial assessment is not a comprehensive review, but offers the ability to take a look at what has occurred as a result of its adoption in 1999 and whether we remain committed to those policies.

Since the adoption of the zoning ordinances implementing these farmland preservation and land use policies, we can provide the following information regarding their impact on the landscape. In the farmland preservation plan area which encompasses 80% of the land area of the county, we allow consideration of from one to three lots of a maximum two acres in size. In non-prime agricultural soil types, lots may be up to two acres; however, if located in prime agricultural soils, the plan identifies that the least amount of acreage should be utilized. The Planning and Zoning Committee has consequently reduced prime lot proposals to one acre in most cases. In prime soils, the number of lots is limited to one if the parcel of record has 50 acres or less, and two lots if the parcel of record has more than 50 acres. In non-prime agricultural soils the Committee may consider up to three, two-acre lots no matter the size of the "parcel of record." A "parcel of record" is defined as "all contiguous lands under single ownership and zoned A-1 Agricultural." The possible lots previously described can be larger than the one- or two-acre limitation if multiple lots are combined. In other words, instead of three, two-acre lots, a proposal could be considered for one, six-acre lot. These options have been utilized frequently. An ordinance amendment adopted in 2006 allowed some additional flexibility, providing for a single owner with multiple parcels of record that may only be

divided by a road, for example, to consider locating all the possible lots on only one of the “parcels of record.” If the Committee feels that this provides safer access or achieves better protection of farmland and better opportunities to cluster lots, it will be approved. To date, there have been five such requests. The Planning and Zoning Committee deliberates fully on all requests to achieve the policy guidelines identified in the plan. They look closely at location as to which proposals best protect farmland and open space and achieve safe points of access. Though denials are somewhat rare as a result of standards identified in the plan and ordinance, moving lots to different locations occurs often to meet these standards of clustering and safer access.

Another plan policy area that has created flexibility in the development of these rural lots is the environmental corridor policy area. These land use features are identified as wetlands, floodplains, and woodlands of ten acres or greater and slopes exceeding 20%. These plan areas were provided with regulatory language that limits density in wooded areas to no more than one lot per ten acres (three lot maximum in non-prime soils). This provision has allowed more protection to a valued resource-our wooded acreage. Also we have designated that no driveways or dwellings may be located on slopes exceeding 20% which has protected our drumlin areas as well as insuring safe access to properties by emergency vehicles. Though the environmental corridor policies have provided for additional limitations, it has proven to create greater flexibility for most landowners. Due to the limitation in size for the rural home sites in our A-3 zoning district, the natural resource zone has allowed landowners to add lands to these home sites such as woods, wetlands or steeply sloped areas. This natural resource zone does not allow for building but allows additional land that a farmer can sell to help his/her bottom line in preserving the ability to maintain the farm.

To date, Jefferson County has created approximately 1,000 lots by use of the rural residential zone. We average approximately 125 lots per year utilizing 250 acres annually. Approximately 50 of those lots are located in prime agricultural soils; however, only 60 acres are then utilized. This is a far cry from previous policies that required a dwelling to be located on 35 acres if on prime agricultural soils. In these instances, two lots of 35 acres could have removed as much farmland as 60 lots do now. Also as a consequence of the A-3 lots created, approximately 30,000 acres of A-1 zoned land (Agricultural zone) have been identified as not being able to create any additional rural home sites unless the Agricultural Preservation and Land Use Plan is changed by future county boards.

If we want to take a collective view of where we might be at with the current plan, approximately 1,000 rural residential lots have been created since 2000, and 30,000 acres have been protected as a consequence of individuals utilizing all their possible lots. We estimate that each township, on an average, could create 500 lots, though this is just an estimate. With sixteen townships, that could equal 8,000 possible lots in the rural area under this plan. This would mean that approximately 12% of the possible lots have been created over a nine-year period. It would appear that we are in good shape with regard to this plan, maintaining the ability for future generations to create lots if necessary, coupled with land protection on the remnant pieces.

Higher density lots without limits to numbers, other than limits by lot size and subdivision design, are only able to occur outside the agricultural preservation plan area and are identified as urban service areas and rural hamlets within our land use plan. In these locations surrounding incorporated cities and villages and sanitary districts, as well as established residential centers, we have averaged about three subdivisions annually, totaling approximately 100 lots. These areas are positioned to be better served by sewer, water and emergency services.

The combination of agricultural preservation policies limiting size, number and location of lots combined with areas of higher density dwellings within urban service and rural hamlet areas provides suitable housing area for the county outside incorporated areas as well as protecting our valuable farmlands, wetlands and open space areas. It is extremely difficult to maintain this delicate balance of providing for housing for our future needs and protecting these lands that make up our agricultural heritage and open space needs. We feel at this time that we have achieved this balance and hope that any future refinements will continue to protect the ability to effectively farm as well as providing lands for open space activities.