

Mineral Extraction (Quarries)

Mineral extraction operations are subject to state rules regarding dust control, blasting, safety and reclamation.

Ordinance:

Mineral extraction operations must meet the requirements of Chapter 14 (Erosion Control and Stormwater Management), Chapter 74 (Nonmetallic Mining Reclamation), and Chapter 10 (Zoning) of the Dane County Code of Ordinances (DCCO).

6 standards for a CUP (10.255)

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.
2. That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Task Force Recommendations:

Standards improvements: Application; aesthetics; haul routes & access; erosion & water; dust; noise; safety; blasting; reclamation; liability; archeology.

Process Improvements: Notice of intent; public awareness meeting; facilitation; report containing resolution and remaining conflict.

<ordinance amendment?>

Work Group Goals and Objectives:

1. Identify and protect as much of the county's non-metallic mineral resources as is practicable, in the context of environmental, residential and other land use planning objectives, to supply local and regional needs.
 - a. Develop an inventory to identify potential non-metallic mineral resources of significance.
 - b. Estimate the volume of currently permitted non-metallic mineral reserves in Dane County. Project the 20-year demand for such resources.
 - c. Consider implementation steps such as development of mineral resource districts, mineral resource protection policies or other appropriate measures to protect the resource and to balance mineral extraction with other land uses.
 - d. Allow nonfarm development within 1000 feet of identified significant mineral resources only after it has been demonstrated that the proposed land use or development would not significantly preclude or hinder future non-metallic mineral extraction.
2. Minimize or mitigate negative environmental, neighborhood, traffic and other impacts of all active mineral extraction operations. Establish consistent, measurable standards for permitting and operation of mineral extraction sites.
 - a. Encourage the continuation of compatible land uses such as agriculture or forestry on lands with identified significant mineral resources.
 - b. Develop and implement county-wide standards for: adequate separation between existing land uses and new mineral extractions or expansions; safe hauling routes; screening, planting and setbacks for mineral extraction operations; noise, dust and runoff control; blasting, including safe operation, notification and scheduling; on-site recycling or processing operations; public input and consideration of neighbor concerns
 - c. Prohibit new land uses that will interfere with existing mineral extraction operations.
 - d. Require that short-term uses of the land for resource extraction or waste disposal are conducted in such a manner that public benefits are maximized, while detrimental effects of the environment are minimized.
 - e. Convert all non-conforming mineral extraction sites to permitted sites.

3. Require environmentally sound reclamation of all active mineral extraction sites using the best techniques and practices currently available.
 - a. Provide adequate implementation, administration and enforcement of Chapter 74 of the Dane County Code.
 - b. Make reclamation plans and final uses of reclaimed lands compatible with farmland preservation goals and local and county land use plans.
4. Encourage and assist the reclamation of identified non-operating mineral extraction sites.
 - a. Establish a funding source based on active mineral extraction operations to assist in the reclamation of non-operating sites.
5. Increase public awareness and appreciation of mineral resource extraction needs, operations, impacts and permitting requirements.
 - a. Develop and distribute public information materials on: the need for mineral resources; the need for, and ways to reuse or recycle mineral resources; potential impacts, and mitigation or management techniques; the temporary nature of mineral extraction operations; current permitting and reclamation requirements; the presence of existing or proposed mineral extraction sites; and opportunities for public and local government input into permitting decisions.
 - b. Require deed notices informing potential buyers of the proximity of existing mineral extraction sites and identified potential mineral resources.
6. Encourage the recycling and reuse of products of mineral extraction, such as concrete and asphalt.
 - a. Create incentives to substitute recycled products (i.e., concrete and asphalt) for virgin aggregate.
 - b. Focus on resources that can be recycled and reused.
 - c. Include operation of recycling facilities into mineral extraction operation permit standards
7. Expand the role of local government in final decisions of site permitting.
 - a. Increase the role of town government in county approval of mineral extraction operations.
 - b. Strongly encourage local units of government to incorporate mineral extraction resource and operation information and standards into their comprehensive plans.

RES. 9, 03-04

MINERAL RESOURCE PROTECTION AS A PRIORITY IN THE DANE COUNTY COMPREHENSIVE PLAN

Nonmetallic mineral resources are included in Section 66.1001(2)(e) "Agricultural, natural and cultural resources" element of the state Comprehensive Planning Law. The state *Guide to Including Natural Resources in Local Comprehensive Planning* does not prescribe an in-depth planning process or detail as to how mineral resources should be included in the comprehensive plan.

Mineral resources are recognized as a valuable county resource, and like other natural resources, mineral resources occur where nature put them, which does not always lead to convenient or locally desirable access.

Already, some of Dane County's valuable mineral resources are inaccessible because deposits have been built over, are located in incompatible zoning districts, or are in proximity to incompatible land uses. It is recognized that efforts should be made to protect mineral resources for future needs.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors requests the Dane County Comprehensive Planning Steering Committee to provide for serious consideration of mineral resources in the Dane County Comprehensive Plan, including consideration of recommendations of the Zoning and Natural Resources (ZNR) Mineral Extraction Subcommittee.

BE IT FINALLY RESOLVED that the steps in the planning process shall include, but will not be limited to, the following:

- Set goals and objectives considering the implication of land use decisions on the availability of mineral aggregate resources to meet future local and regional needs;
- Develop an inventory of potential mineral resources;
- Identify potential nonmetallic mineral deposits of significance;
- Consider implementation steps such as development of mineral resource districts, mineral resource protection policies or other appropriate measures to protect the resource, and to balance mineral extraction with other land uses; and
- Encourage local units of government to incorporate information into their comprehensive plans.

Submitted by Supervisors Erickson, Anderson, Cornwell, Lowe, Rollins, Richmond, Hulsey, Ripp, Eggert, Kesterson, Pertzborn, Hendrick, Matano, Olsen, Rusk, Salov, Mohrbacher, Fyrst, Martz, M. Blaska, Wiganowsky, McGuire, Hitzemann, McDonnell, Brown, and Vedder, April 24, 2003 (p. 7, 03-04).

Referred to ZONING/NATURAL RESOURCES, STRATEGIC GROWTH MANAGEMENT, and COMPREHENSIVE PLANNING STEERING COMMITTEE.

Transfer/Purchase of Development Rights

Ordinance:

<No introduction on the ordinance.>

Task Force Recommendations:

The group reached basic agreement on a draft TDR ordinance amendment. Basically, the Ordinance Amendment would create two overlay zoning districts, one for sending areas, and another for receiving areas. Ratios, density bonuses, and other program details would be determined by plans developed by towns and adopted by the county board as part of the Farmland Preservation Plan.

Work Group Goals and Objectives:

ANCR (AG)1.c. & (LAND)1.a. Establish a countywide transfer of development rights (TDR) framework for towns, villages and cities that wish to join.

ANCR (AG)1.e. Reduce scattered rural nonfarm development by encouraging clustering of rural development as part of a town farmland preservation strategy. Provide tools such as conservation subdivisions to accomplish this objective.

ANCR (HIST) 1.a. & 2.c. Include archaeological significance among the criteria for acquiring and managing lands under all county real estate programs, such as the Dane County Parks & Open Space Plan or Purchase of Development Rights programs.

RES. 277, 03-04

PROTECTING FARMLAND BY PURCHASE AND TRANSFER OF DEVELOPMENT RIGHTS PROGRAMS AS COMPONENTS OF THE COMPREHENSIVE PLAN

Dane County has some of the most fertile and productive farmland in the world. We are the number one farming county in Wisconsin and one of the top counties in the nation. Approximately two-thirds of the Dane County land is in agricultural use, with approximately 350,000 acres in cropland. While this farmland is among the most productive land in the state, it is also one of the most threatened by development, according to American Farmland Trust. The goal of this resolution is to help farm families stay on their land and promote sensible growth.

Transfer of development rights (TDR) programs are designed to meet growth management and land preservation goals by allowing land owners in areas planned for long-term preservation to sell development rights to land owners and developers in planned growth areas. For example, many towns in Dane County allow one "split" per 35 acres of land designated "Agricultural Preservation Areas." A TDR program would allow the landowner to sell his or her "splits" that could not be used on his or her property to be used by a developer or owner in a part of a community designated as a receiving area for development.

Some towns have expressed an interest in implementing TDR programs. For example, the Town of Cottage Grove has included a TDR pilot program in their land use plan, allowing landowners in rural parts of the town ("sending areas") the option of selling development credits as an alternative to developing their property.

Development credits are used by developers in other parts of the town ("receiving areas"), to develop higher densities than would otherwise be allowed.

A Purchase of Development Rights (PDR) program is similar to a TDR program in that a landowner sells the right to develop land. However, with PDR the development right is generally purchased by a governmental unit or not-for-profit agency to preserve the current land use. In Dane County, The Town of Dunn has an active PDR program and has purchased development rights to over 2,000 acres over the past several years. In addition, Dane County— working with the five towns along Highway 12 – is implementing an approximately \$5 million PDR program. Dane County has also purchased development rights around county parks and resource areas, including Donald Park, Cam-Rock Park, and Cherokee Marsh.

Dane County is currently developing a comprehensive plan as required by Section 66.1001, Wis. Stats. At the same time, many towns in Dane County are engaged in developing or updating their own comprehensive plans pursuant to the state legislation. This provides an opportunity for communities throughout Dane County to seriously consider the establishment of TDR and/or PDR programs to preserve highly productive land and focus development in desirable areas. To facilitate the development of P-TDR programs in interested communities, Dane County should include both model TDR plan policy language and model PDR plan policy language for local governments as a land use tool as part of the county's comprehensive plan. Work on P-TDR efforts should include the possibility of a countywide P-TDR effort and possible sources of funding for the purchase and/or transfer of development rights for both county government and local governments. The comprehensive plan is the appropriate vehicle to formalize information available regarding best practices and models of P-TDR programs for local government.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors requests the Dane County Comprehensive Planning Steering Committee to develop both transfer of development rights and purchase of

development rights policies as land use tools in the Dane County Comprehensive Plan, including development of model P-TDR plan policy language as a component of the comprehensive plan.

BE IT FINALLY RESOLVED that the elements of the model P-TDR policy language shall include, but will not be limited to, the following:

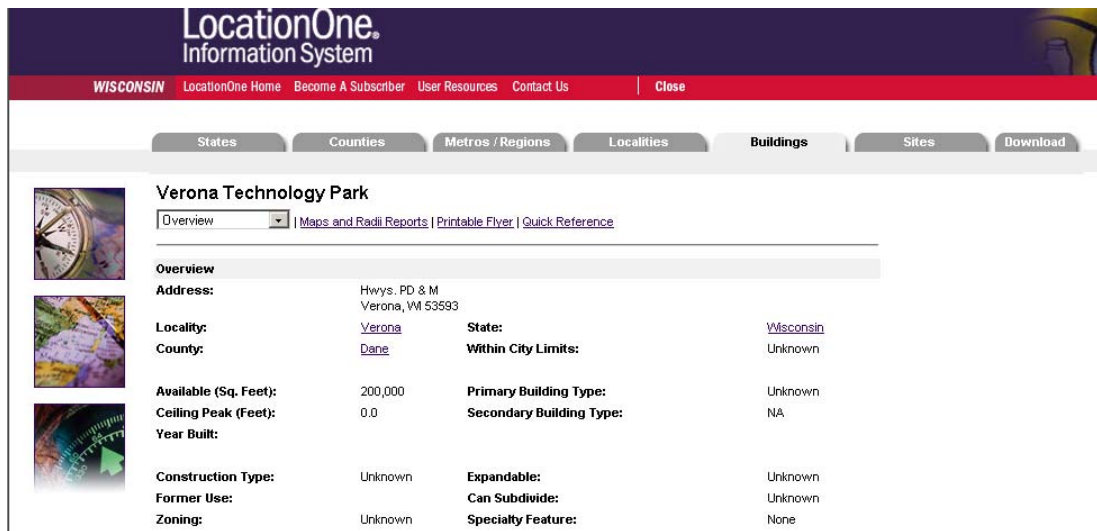
- A step-by-step guide to the development of a P-TDR program for local government;
- Model P-TDR program language;
- Examples of any necessary administrative systems, such as accounting and tracking systems;
- Approaches to intergovernmental cooperation regarding P-TDR issues; and
- Discussion of legal mechanisms required to implement the P-TDR program, such as deed restrictions and conservation easements.

Submitted by Supervisors Hulsey, Kesterson, Rollins, Wilcox, Fyrst, McDonell, Lowe, Salov, Erickson, Pertzborn, Anderson, Opitz, Vedder, Hendrick, Eggert, Graf, Matano, Richmond, Olsen, and Brown, February 5, 2003 (p. 292, 03-04).

Referred to ZONING/NATURAL RESOURCES, COMPREHENSIVE PLANNING STEERING, and STRATEGIC GROWTH MANAGEMENT.

Economic Development

Location One Information System: <http://www.locationone.com/states/index.php>



The screenshot shows the LocationOne Information System interface. At the top, there is a navigation bar with links for WISCONSIN, LocationOne Home, Become A Subscriber, User Resources, Contact Us, and Close. Below this is a menu with tabs for States, Counties, Metros / Regions, Localities, Buildings, Sites, and Download. The main content area is titled "Verona Technology Park" and includes a dropdown menu for "Overview" and links for "Maps and Radll Reports", "Printable Flyer", and "Quick Reference". The "Overview" section displays the following information:

Address:	Hwys. PD & M Verona, WI 53593		
Locality:	Verona	State:	Wisconsin
County:	Dane	Within City Limits:	Unknown
Available (Sq. Feet):	200,000	Primary Building Type:	Unknown
Ceiling Peak (Feet):	0.0	Secondary Building Type:	NA
Year Built:			
Construction Type:	Unknown	Expandable:	Unknown
Former Use:		Can Subdivide:	Unknown
Zoning:	Unknown	Specialty Feature:	None

Ordinance:

<None>

Task Force Recommendations:

<PF Sub-Committee? >

Work Group Goals and Objectives:

1. Build a robust, sustainable economy that enhances quality of life.
 - a. Identify, maintain and enhance factors that keep and attract investment in Dane County.
 - b. Encourage collaboration between communities within Dane County.
 - c. Assist communities in planning and building organizational capacity.
 - d. Assist communities in developing commercial and industrial areas that are well designed and properly located.
 - e. Encourage businesses to locate and expand in a manner that makes efficient use of land and transportation corridors with the minimum impact on the natural and cultural environment.
 - f. Encourage worksites to locate to ensure accessibility for workers to job location.
 - g. Encourage the use and adaptive reuse of historic and other buildings.
2. Create a range of quality employment/ownership opportunities.
 - a. 2a. Encourage communities to seek and support businesses that provide a range of good, services, and employment that meets the needs of residents.
 - b. 2b. Encourage entrepreneurial activity, especially targeting economically disadvantaged areas and groups including minorities, immigrants, and people with disabilities.
 - c. 2c. Pursue economic development policies that generate and recirculate wealth within Dane County.
3. Retain, attract, expand, and incubate business, industry and agriculture.
 - a. Encourage the identification of and an adequate number of developable sites for locating business and industry.
 - b. Identify and enhance existing and potential sectors that drive Dane County's economy
 - c. Promote the protection of economically productive areas, including farmland and forestry.
 - d. Encourage the development of organizational capabilities and resources in Dane County to promote economic development.
 - e. Promote economic development that recognizes the assets and attributes of each community.
 - f. Encourage inter-county regional economic development.
 - g. Encourage communities to provide adequate public infrastructure to enable businesses to operate successfully.
 - h. Encourage intergovernmental agreements between Dane County municipalities
4. Promote workforce development that maximizes benefits to the workforce and business and industry.

- a. Support efforts to provide opportunities, education, and/or training for all current residents of Dane County and newcomers to participate in, contribute to, and benefit from the local economy.
- b. Identify, maintain, and enhance factors that keep and attract talent and skills to Dane County.

RES.301, 03-04

IDENTIFYING AREAS FOR SITING BUSINESSES TO CREATE GOOD JOBS THROUGH THE COMPREHENSIVE PLANNING PROCESS

Dane County, like the state of Wisconsin as a whole, has suffered significant job losses in the economic downturn of recent years. For instance, Dean Morningstar Dairy announced last month that they would close and eliminate 100 jobs; Kraft let go of 75 workers last month; CUNA eliminated 100 jobs last year; and Rayovac moved 250 jobs to Illinois. At the same time, state and local governments have also been downsizing their workforces. Retail malls have likewise suffered losses of tenants, with vacant storefronts in many of the county's major retail malls. It is important to provide assistance to grow the economy, not only to replace the jobs that have been lost in both the public and private sectors, but also to provide new opportunity for the County's growing population.

Last month, county and local officials held a conference on the challenges of "big box" development; that is, the siting of large retail centers. One of the recommendations from this conference was to identify and redevelop existing abandoned or underutilized retail malls or other commercial properties.

Currently, there is not a countywide composite map with an inventory of parcels available for potential infill development. Using Geographic Information System (GIS) technology, it is possible to identify abandoned and underutilized parcels, including parcels with lower average improvement value than that of surrounding properties. The City of San Francisco has developed this information as an approach to assist businesses to locate and create jobs while making use of existing infrastructure.

Obviously, the majority of sites appropriate for infill development are located within municipal boundaries. While the county does not have authority for land use decision-making in these areas, the development of an inventory could be part of a countywide effort to plan for economic development.

Dane County is currently developing a comprehensive plan as required by Section 66.1001, Wis. Stats. The Housing and Economic Development work group is addressing issues regarding job creation and economic growth, while the Comprehensive Planning Steering Committee is responsible for addressing intergovernmental cooperation. An effort to develop a composite map and inventory of abandoned or underutilized sites would involve both these groups. The comprehensive plan provides an opportunity for Dane County to play an active role in improving the economic vitality of individual communities and the county as a whole.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors requests the Dane County Comprehensive Planning Steering Committee and the Housing and Economic Development work group to develop a composite map and inventory of abandoned and underutilized commercial and manufacturing parcels throughout the county as part of the Dane County Comprehensive Plan.

BE IT FINALLY RESOLVED that the Dane County Board of Supervisors requests the Dane County Comprehensive Planning Steering Committee to work with the cities and villages of Dane County, in addition to local chambers of commerce, not only to develop the map and inventory, but also to implement the approach to encourage infill development and provide good jobs to the residents of the county.

Submitted by Supervisors Eggert, Olsen, Richmond, Pertzborn, Rollins, Opitz, Vedder, Kesterson, Matano, Wilcox, Graf, Rusk, Fyrst, Hulse, Erickson, and Brown, March 4, 2004 (p. 314, 03-04).

Referred to ZONING/NATURAL RESOURCES, STRATEGIC GROWTH MANAGEMENT, and COMPREHENSIVE PLANNING.

Wireless Communication Facilities (Cell Towers)

Ordinance:

10.194 PROCEDURE AND STANDARDS FOR THE PLACEMENT, CONSTRUCTION OR MODIFICATION OF COMMUNICATION TOWERS.

Task Force Recommendations

Minimize the proliferation of Cell Towers. Improve the consistency of applications and application process. 3rd party objective engineering review to document the needs. Establish inventory of existing facilities. Coordination of cell towers with previously existing small local airstrips. Standard staff reviews set of CUP conditions. (example: Bonding)

Work Group Goals and Objectives:

TUCF (Telecom)

1. Promote the adequate provision of affordable, efficient, reliable, environmentally sound, and aesthetically unobtrusive telecommunications facilities to meet the current and future needs of Dane County residents and businesses.
 - a. Explore the establishment of a public utility company for telecommunications.

Other Special Issues

Livestock Siting

State rules: IF we would do something: Dane County may not disapprove unless the following apply (there are exceptions)

WI SS.93.90 Livestock facility siting and expansion. (1) This section is an enactment of statewide concern for the purpose of providing uniform regulation of livestock facilities. **(1m) DEFINITIONS.** In this section: a political subdivision may not disapprove or prohibit a livestock facility siting or expansion unless at least one of the following applies:

1. The site is located in a zoning district that is not an agricultural zoning district.
2. The site is located in an agricultural zoning district in which the proposed new or expanded livestock facility is prohibited, subject to pars. (b) and (c).
3. The proposed new or expanded livestock facility violates an ordinance adopted under s. 59.692, 59.693, 60.627, 61.351, 61.354, 62.231, 62.234, or 87.30.
4. The proposed new or expanded livestock facility violates a building, electrical, or plumbing code that is consistent with the state building, electrical, or plumbing code for that type of facility.
5. The proposed new or expanded livestock facility will have 500 or more animal units and violates a state standard under sub. (2) (a).
6. The proposed new or expanded livestock facility will have 500 or more animal units and violates a requirement that is more stringent than the state standards under sub. (2) (a) if the political subdivision does all of the following:
 - a. Adopts the requirement by ordinance before the applicant files the application for approval.
 - b. Bases the requirement on reasonable and scientifically defensible findings of fact, adopted by the political subdivision, that clearly show that the requirement is necessary to protect public health or safety.
7. The proposed new or expanded livestock facility will have fewer than 500 animal units but will exceed a size threshold for requiring a special exception or conditional use permit that was incorporated into the political subdivision's ordinances before July 19, 2003, and the proposed new or expanded livestock facility violates a state standard under sub. (2) (a).
8. The proposed new or expanded livestock facility will have fewer than 500 animal units but will exceed a size threshold for requiring a special exception or conditional use permit that was incorporated into the political subdivision's ordinances before July 19, 2003, and the proposed new or expanded livestock facility violates a requirement that is more stringent than the state standards under sub. (2) (a) if the political subdivision does all of the following:

Farm Priority Zones – Ag Preservation Areas

TDR/PDR Sending Zone?

Rural Hamlets

TDR/PDR Receiving Zone?