



CALL TO ORDER

Members Present: Pat Downing, John Hendrick (8:15), Jerry Jensen (8:00), Renee Lauber, Jim Welsh, and Tom Wilson.

Members Excused: Paul Dombrowski, Topf Wells

Staff Present: Majid Allan, Russell Bartlett, Kevin Connors

Public Present: Arnold Harris, Stefi Harris, Wayne Hefty, Bob Uphoff

Chair Downing called the meeting to order at 7:38 pm, though a quorum of members was not present. A quorum of members was achieved at 8pm.

PUBLIC HEARING ON PRIORITY REVISIONS TO THE DANE COUNTY ZONING ORDINANCE

Chair Downing opened the public hearing at 7:40 pm.

Allan provided a brief presentation that covered the task force's mandate, completed ordinance revisions, and summary of the top 4 priority revisions for 2010. Downing opened the floor to the public for comments on each of the 4 recommended revisions, in priority order, identified by the task force.

I. Consider amendments that address recent changes to the state's Farmland Preservation Law

Allan provided a brief summary of recent changes to the state's Farmland Preservation Law, and noted that the county will be required to make revisions to its certified exclusive agricultural zoning districts consistent with the new state law. Allan commented that many of the required revisions will be minor, technical changes, but also that other larger policy issues may need to be addressed.

Discussion ensued. Several members commented on the issue of the state's new "conversion fee" that applies to all lands rezoned out of certified exclusive agricultural zoning districts (A-1EX). Arnold Harris expressed concern that the state's recent changes will disproportionately impact town property owners, while exempting lands annexed to cities and villages for development. He also was concerned that any changes considered by the Task Force be designed to avoid unfairly benefitting land speculation. Wilson noted that the conversion fee can apply even to zoning changes associated with existing residential uses, including farm homes. Lauber

suggested that options be explored to equitably address the issues arising from the Working Lands Initiative and recent changes in the state Farmland Preservation Law.

Supervisor Jensen arrived at 8:00 pm.

II. Review and possibly revise adult entertainment overlay district (AED)

Allan commented briefly on this priority revision suggested by the Dane County Towns' Association, noting that the AED should be reviewed and possibly revised to ensure that it is equipped to deal with emerging issues and challenges. A brief discussion ensued.

III. Strengthen consideration of aesthetics in the building of communication towers / Require more stringent "collocation" requirements when siting cell towers to limit proliferation

Allan gave a summary of these 2 recommendations, which the Task Force combined into a single priority revision. The proposal would involve amending the county's tower ordinance to include provisions that address aesthetics, possibly including requirements for viewshed analyses or utilization of "stealth" tower design (e.g., towers made to look like trees; antennas mounted on existing structures, etc.). This priority item would also entail addressing cell tower siting standards in order to ensure that new towers are capable of being utilized by multiple users.

Discussion ensued. Arnold Harris suggested that consideration should also be given to how communications towers will be removed from the landscape in the future as they become obsolete and supplanted by other emerging technologies (e.g., satellite phones, etc.).

Supervisor Hendrick arrived at 8:15 pm.

Chair Downing noted that the county should consider conducting a county-wide tower assessment as an option to accomplish this priority revision. Such an assessment would identify future cellular infrastructure needs and possible tower locations in an effort to minimize tower proliferation. Further discussion ensued. Supervisor Hendrick noted that the Zoning & Land Regulation Committee had identified changes to the county's tower ordinance as a priority item, and was supportive of the Task Force's efforts. Wayne Hefty, town of Springdale Board Supervisor, expressed support for a county wide study, noting recent issues experienced by the town in dealing with a proposed Verizon Wireless cell tower.

IV. Revise the zoning ordinance to address Concentrated Animal Feeding Operations (CAFOs)

Allan again provided a brief summary of the recommendation to address Concentrated Animal Feeding Operations (CAFOs) in the zoning code. State law provides for limited local regulation of farms with large numbers of animal units. For example, the county could use its zoning authority to require a Conditional Use Permit for CAFO operations over a certain size, or, limit the zoning districts within which CAFOs would be permitted. Supervisor Jensen asked that Bob Uphoff, local hog farmer and chair of the Agricultural Advisory Committee, comment on the recommendation to address CAFOs in the zoning code.

Uphoff noted that numerous state and county regulations are already in effect to deal with issues related to CAFOs, and as a result suggested that developing a county CAFO ordinance should not be a high priority. Discussion ensued. Supervisor Jensen noted his initial opposition to the recommendation and suggested it be removed from the list of zoning revisions given the numerous other competing priorities. Stefi and Arnold Harris advocated keeping a CAFO

ordinance as a priority, noting the potential negative environmental consequences of such facilities.

Chair Downing closed the public hearing at 8:35 pm. With a quorum now present, Chair Downing went back to agenda items not previously addressed.

APPROVAL OF 03/02/10 MINUTES

Motion by Hendrick / Jensen to approve the 3/02/10 minutes; motion carried 6-0.

PUBLIC COMMENT

Wayne Hefty questioned whether or not individual landowners in A-1 Agriculture (non-exclusive) towns could adopt A-1EX (Exclusive Agriculture) and participate as sending areas in a Transfer of Development Rights (TDR) program. Discussion ensued. Supervisor Hendrick suggested that it may be possible for landowners in A-1 zoned towns to utilize the new A-4 small lot exclusive agriculture zoning district, but that an amendment to the TDR ordinance would be required to list the A-4 district as a suitable sending area zoning designation. Jim Welsh commented that it may be possible for areas within A-1 zoned towns to be designated as Agricultural Preservation Areas within the county's Farmland Preservation Plan, but that further investigation would be needed.

Arnold Harris commented on a town of Cross Plains initiative to document all remaining "splits" within the town, and that the town would be willing to share its methodology with other towns interested in conducting similar studies. Harris also expressed concern about the impact of a recent change to the A-1EX ordinance allowing primary and secondary farm residences as a conditional use, noting that it may result in additional "splits" being made available beyond the density limitations listed in town plans. Chair Downing suggested that towns could address this issue in their respective plans.

REVIEW AND POSSIBLE ADJUSTMENT TO PRIORITY REVISIONS BASED ON PUBLIC INPUT

Chair Downing asked members to comment on the 4 selected priority zoning code revisions. Supervisor Jensen suggested that revising the ordinance to address CAFO facilities be removed from the list. Discussion ensued. Welsh commented that the remaining code revision priorities from 2009 and the top 3 priorities identified for 2010 would involve a great amount of work and that it was unlikely that a CAFO ordinance would be taken up before the end of the year. Several members expressed concern with removing CAFO facilities from the list of priorities. Supervisor Hendrick suggested that more detail was needed on the objectives for item #1, "Consider amendments that address recent changes to the state's Farmland Preservation Law". Members agreed that additional detail should be added to item #1 at a future meeting. Further discussion ensued.

Motion by Wilson / Hendrick to accept the list of 4 priorities as presented, with a stipulation that work on priority #4 (addressing CAFO facilities) will not begin until the task force's work on the first 3 priority revisions are completed; motion carried, 6-0.

DISCUSSION AND POSSIBLE ACTION ON DRAFT LC-1 (LIMITED COMMERCIAL) ZONING DISTRICT CHANGES

Chair Downing invited public comment on the draft LC-1 zoning district changes. Stefi Harris expressed concern about the purpose statement for the LC-1 district in the draft ordinance. Harris felt the purpose statement ignored the negative impacts to neighboring property owners that can result from the types of commercial uses that would be allowed in the LC-1 district. Harris also expressed concern about the wide range of possible commercial uses that could be allowed under a Limited Rural Business Conditional Use Permit (CUP). Discussion ensued. Members commented that, to be approved, any

Limited Rural Business CUP would need to be consistent with adopted town / county plans, and also noted that towns now have veto authority over CUPs. Chair Downing asked that the LC-1 district draft be placed on the next meeting agenda.

PRELIMINARY DISCUSSION / PRESENTATION OF STAFF RECOMMENDATIONS FOR REVISING ACCESSORY STRUCTURE REGULATIONS

No discussion occurred on this item.

SET NEXT MEETING DATE / AGENDA

Chair Downing asked that staff utilize the online meeting wizard to arrange the next meeting date / time. Agenda items will include the LC-1 district draft, and preliminary discussion of staff recommendations on revising the accessory structure regulations.

ADJOURN

Motion by Hendrick / Wilson to adjourn the meeting at 9:45.

Majid Allan, Dane County Planning & Development Department, prepared these minutes. Please be aware that they are based on the notes of the recorder and subject to change by the Task Force at a subsequent meeting.