

that is attached hereto and incorporated into this section by reference.

**(4) Duration.** This section shall expire either 24 months after its effective date or upon all parties to the Intergovernmental Agreement placing the North Mendota Parkway on their official maps, whichever occurs first.

**(5) Development moratorium.** There is hereby established a temporary moratorium on the acceptance, review and approval by county officials and staff of any application for a land division, subdivision, rezone or conditional use permit received by the county on or after the effective date of this ordinance.

**(6) Exceptions.** Notwithstanding the provisions of sub. (5), the moratorium shall not apply to the following:

1. A complete land division, subdivision, rezone or conditional use application that is submitted in conformity with the applicable county ordinances on or before the effective date of this section.
2. Certified survey maps that do not create additional building sites.
3. Divisions of land or rezones that are necessary to avoid a property owner being denied all economic use of his or her land.
4. Divisions of land that are essential for the correction of or remediation of a situation that threatens the public health or welfare.

**(7) Variances.** 1. Any property owner of property within the North Mendota Parkway area, or his or her agent, may apply to the Zoning & Land Regulation Committee for a variance from the terms of this section.

2. Application for a variance shall be made to the Zoning Administrator and processed pursuant to the procedures as set forth in section 10.255(2).

3. Upon receipt of an application, the Zoning Administrator shall refer the application to the North Mendota Implementation Committee, which may make a recommendation to the Zoning & Land Regulation Committee.

4. A variance from the terms of the moratorium may be granted if the applicant demonstrates that the proposed development is not detrimental to potential routes of the North Mendota Parkway or the E-way.

**(8) Inconsistent ordinances voided.** All ordinances or provisions of ordinances inconsistent with or contravening the provisions of this section are hereby temporarily voided and shall have no legal force or effect during the period of this ordinance.

**(9) Severability.** If any part of this section is deemed to be unconstitutional, unlawful or invalid by a court of competent jurisdiction, the remainder of the section shall not be affected thereby.

[82.04 – 82.49 reserved.]

## SUBCHAPTER II DANE COUNTY COMPREHENSIVE PLANNING

**82.50 SUBCHAPTER II.** Subchapter II of this chapter consists of sections 82.50 through 82.99, inclusive.

**82.51 TITLE.** Subchapter II shall be known as the Dane County Comprehensive Plan Ordinance.

**82.52 PURPOSE.** This subchapter is adopted under authority granted by sections 59.69(2) and (3) and 66.1001, Wis. Stats.

**82.53 ADOPTION OF DANE COUNTY COMPREHENSIVE PLAN.** Pursuant to sec. 66.1001(4)(c), Wis. Stats., the Dane County Board of Supervisors does, by enactment of this ordinance, adopt the document entitled “Dane County Comprehensive Plan,” including all maps and descriptive materials contained therein, and including all amendments adopted by the county board of supervisors as of November 15, 2012. A copy of the Dane County Comprehensive Plan is incorporated herein as Appendix A and is on file at the Dane County Clerk’s office.

[History: am., OA 15, 2012-13, pub. 11/14/12.]

**82.54 CONSISTENCY WITH PLAN.** Commencing January 1, 2008, the following actions shall be consistent with the Dane County Comprehensive Plan:

- (1)** County subdivision regulation under s. 236.45 or 236.46, Wis. Stats.
- (2)** Zoning ordinances enacted or amended under s. 59.69, Wis. Stats.
- (3)** Zoning of shoreland or wetlands under s. 59.692, Wis. Stats.
- (4)** Other actions as required by law.

**82.55 INCORPORATION OF TOWN PLANS.** The following town plans are incorporated into the Dane County Comprehensive Plan:

- (1)** Town of Albion Land Use Plan, including all amendments adopted by the county board of

supervisors as part of the Dane County Farmland Preservation Plan as of August 16, 2007.

**(2)** Town of Berry Comprehensive Plan, as revised by the town as of July 16, 2012 and as further modified by any provisions in the Town of Berry chapter of the Dane County Comprehensive Plan Addendum as adopted by the county board of supervisors as of November 15, 2012.

**(3)** Town of Black Earth Comprehensive Plan, including all amendments identified in the Town of Black Earth chapter of the Dane County Comprehensive Plan Addendum adopted by the county board of supervisors as of December 1, 2011.

**(4)** Town of Blooming Grove Comprehensive Plan, including all amendments adopted by the county board of supervisors as part of the Dane County Farmland Preservation Plan as of September 7, 2000.

**(5)** Town of Blue Mounds Land Use Plan, including all amendments adopted by the county board of supervisors as part of the Dane County Farmland Preservation Plan as of September 3, 1998.

**(6)** Town of Bristol Land Use Plan, including all amendments adopted by the county board of supervisors as part of the Dane County Farmland Preservation Plan as of May 7, 1981.

**(7)** Town of Burke Land Use Plan, including all amendments adopted by the county board of supervisors as part of the Dane County Farmland Preservation Plan as of September 23, 1999.

**(8)** Town of Christiana Comprehensive Plan, including all amendments adopted by the county board of supervisors as of April 16, 2010.

**(9)** Town of Cottage Grove Comprehensive Plan, including all amendments identified in the Town of Cottage Grove chapter of the Dane County Comprehensive Plan Addendum adopted by the county board of supervisors as of August 31, 2012.

**(10)** Town of Cross Plains Comprehensive Plan, including all amendments adopted by the county board of supervisors as of March 7, 2013.

**(11)** Town of Dane Comprehensive Plan, including all amendments adopted by the county board of supervisors as part of the Dane County Farmland Preservation Plan as of November 7, 2002.

**(12)** Town of Deerfield Comprehensive Plan, including amendments identified in the Town of Deerfield chapter of the Dane County Compre-

hensive Plan Addendum as of December 18, 2009.

**(13)** Town of Dunkirk Comprehensive Plan, including all amendments adopted by the county board of supervisors as part of the Dane County Farmland Preservation Plan as of July 19, 2007.

**(14)** Town of Dunn Comprehensive Plan, including all amendments adopted by the county board of supervisors as of September 4, 2008.

**(15)** Town of Mazomanie Comprehensive Plan, including all amendments identified in the Town of Mazomanie chapter of the Dane County Comprehensive Plan Addendum adopted by the county board of supervisors as of August 31, 2012.

**(16)** Town of Medina Comprehensive Plan, including all amendments adopted by the county board of supervisors as of April 16, 2010.

**(17)** The Town of Middleton Comprehensive Plan, including all amendments adopted by the county board of supervisors as part of the Dane County Farmland Preservation Plan as of September 1, 2011.

**(18)** Town of Montrose Comprehensive Plan, including all amendments adopted by the county board of supervisors of January 6, 2011.

**(19)** Town of Oregon Comprehensive Plan, including all amendments adopted by the county board of supervisors as of December 18, 2009, and including map amendments adopted by the county board of supervisors as of December 16, 2010.

**(20)** Town of Perry Land Use Plan, including all amendments adopted by the county board of supervisors as part of the Dane County Farmland Preservation Plan as of June 2, 2005.

**(21)** Town of Pleasant Springs Comprehensive Plan, including all amendments adopted by the county board of supervisors as part of the Dane County Farmland Preservation Plan as of September 7, 2006.

**(22)** Town of Primrose Comprehensive Plan, including all amendments adopted by the county board of supervisors as of September 11, 2010.

**(23)** Town of Roxbury Comprehensive Plan, including all amendments identified in the Town of Roxbury chapter of the Dane County Comprehensive Plan Addendum adopted by the county board of supervisors as of July 24, 2012.

**(24)** Town of Rutland Comprehensive Plan, including all amendments adopted by the county board of supervisors as part of the Dane County Farmland Preservation Plan as of May 16, 2007.

**(25)** Town of Springdale Comprehensive Plan, including all amendments adopted by the county board of supervisors as of April 16, 2010.

(26) Town of Springfield Comprehensive Plan, including all amendments adopted by the county board of supervisors as part of the Dane County Farmland Preservation Plan as of August 16, 2007.

(27) Town of Sun Prairie Comprehensive Plan, including all amendments adopted by the county board of supervisors as of February 2, 2010.

(28) Town of Vermont Comprehensive Plan, including all amendments adopted by the county board of supervisors as part of the Dane County Farmland Preservation Plan as of December 18, 2009.

(29) Town of Verona Comprehensive Plan, including the Cross Country Neighborhood Plan and all amendments adopted by the county board of supervisors as of April 16, 2010.

(30) Town of Vienna Comprehensive Plan, as revised by the town as of July 9, 2012 and as further modified by any provisions in the Town of Vienna chapter of the Dane County Comprehensive Plan Addendum as adopted by the county board of supervisors as of November 15, 2012.

(31) Town of Westport Comprehensive Plan, including all amendments adopted by the county board of supervisors as part of the Dane County Farmland Preservation Plan as of November 4, 2004.

(32) Town of Windsor Comprehensive Plan, including all amendments adopted by the county board of supervisors as of February 2, 2012.

(33) Town of York Comprehensive Plan, including all amendments adopted by the county board of supervisors as part of the Dane County Farmland Preservation Plan as of February 1, 2007.

[History: 82.55 am., OA 46, 2007-08, pub. 04/23/08; (14) am., OA 12, 2008-09, pub. 09/16/08; (28) am., OA 12, 2009-10, pub. 12/17/09; (19) am., OA 20, 2009-10, pub. 12/17/09; (12) am., Sub. 1 to OA 36, 2009-10, pub. 12/17/09; (3) am., Sub. 1 to OA 35, 2009-10, pub. 02/01/10; (10) am., OA 39, 2009-10, pub. 02/01/10; (27) am., OA 40, 2009-10, pub. 02/01/10; (8) am., OA 49, 2009-10, pub. 04/15/10; (16) am., OA 50, 2009-10, pub. 04/15/10; (25) am., OA 51, 2009-10, pub. 04/15/10; (29) am., OA 52, 2009-10, pub. 04/15/10; (32) am., OA 9, 2010-11, pub. 09/02/10; (22) am., OA 6, 2010-11, pub. 09/10/10; (9) am., OA 3, 2010-11, pub. 12/06/10; (19) am., OA 12, 2010-11, pub. 12/30/10; (18) am., OA 19, 2010-11, pub. 01/26/11; (2) am., OA 15, 2010-11, pub. 08/01/11; (9) am., OA 7, 2011-12, pub. 08/01/11; (17) am., OA 13, 2010-11, pub. 08/01/11; (3) am., OA 25, 2011-12, pub. 12/12/11; (32) am., OA 34, 2011-12, pub. 02/14/12; (23) am., OA 7, 2012-13, pub. 07/23/12; (9) am., OA 8, 2012-13, pub. 08/30/12; (15) am., OA 6, 2012-13, pub. 08/30/12; (23) am., OA 17, 2012-13, pub. 09/18/12; (2) am., OA 16, 2012-13, pub. 11/14/12; (30) am., OA 18, 2012-13, pub. 11/14/12; (10) am., OA 39, 2012-13, pub. 03/19/13.]

**82.555 INCORPORATION OF COUNTY, REGIONAL AND MUNICIPAL PLANS.** The following plans are incorporated into the Dane County Comprehensive Plan:

(1) City of Fitchburg Farmland Preservation Plan, including all amendments adopted by the county board of supervisors as of April 23, 2011.

(2) Dane County Farmland Preservation Plan, including all amendments adopted by the county board of supervisors as of November 15, 2012.

[History: cr., OA 39, 2010-11, pub. 04/22/11; (2) cr., OA 15, 2012-13, pub. 11/14/12.]

**82.56 AMENDMENTS AND PERIODIC UPDATES.** (1) The Dane County Board of Supervisors may amend the Dane County Comprehensive Plan at any time, in accordance with the procedures set forth in sec. 66.1001(4), Wis. Stats.

(2) (a) Five years after the effective date of the Dane County Comprehensive Plan, the chair of the Dane County Board of Supervisors shall appoint a Comprehensive Plan Steering Committee to review the plan and make recommendations regarding any necessary revisions.

(b) The Comprehensive Plan Steering Committee shall:

1. Solicit public participation in reviewing the plan using the procedures in the Public Participation Plan.

2. Review Department of Planning and Development annual reports on the Dane County Comprehensive Plan.

3. Evaluate progress against established benchmarks to determine whether goals, objectives, policies, programs or the benchmarks need to be revised.

4. Review goals and objectives to determine whether they have continued relevance and reflect the current needs of the community.

5. Review policies, programs and implementation strategies to remove completed tasks and identify new approaches if necessary.

6. Review timetables and recommend needed revisions.

82.57 INTERPRETATION. The provisions of this ordinance shall be interpreted as a minimum requirement and shall be liberally construed in favor of the purposes of this ordinance. This ordinance shall not be deemed to limit or repeal

any other powers granted to Dane County by state law.

**(1)** To assist in the consistent administration and interpretation of town plans incorporated into the Dane County Comprehensive Plan under s. 82.55, the Dane County Board of Supervisors adopts the Dane County Comprehensive Plan Addendum, incorporated herein as Appendix B. The Addendum shall include chapters for each town plan incorporated into the Dane County Comprehensive Plan and may be utilized by the Board of Supervisors to note town plan policy clarifications, interpretations, or to omit provisions of incorporated town plans that may conflict with county plan policies. A copy of the Dane County Comprehensive Plan Addendum is on file with the County Clerk's Office and the Dane County Department of Planning and Development.

[**History:** (1) cr., Sub. 1 to OA 36, 2009-10, pub. 12/17/09.]

**82.58 SEVERABILITY OF ORDINANCE PROVISIONS.** Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole to any part thereof, other than the part so declared to be invalid.

*[82.59 – 82.99 reserved.]*

[**History:** Ch. 82 cr., OA 11, 2007-08, pub. 08/29/07; Subch. II cr., Sub. 1 to OA 16, 2007-08, pub. 11/02/07, eff. 01/01/08.]

**END OF CHAPTER**