

A NEW OPTION FOR
DANE COUNTY
TOWNS

Dane County Towns Association

March 30, 2016

Historic Legislation Adopted

State of Wisconsin



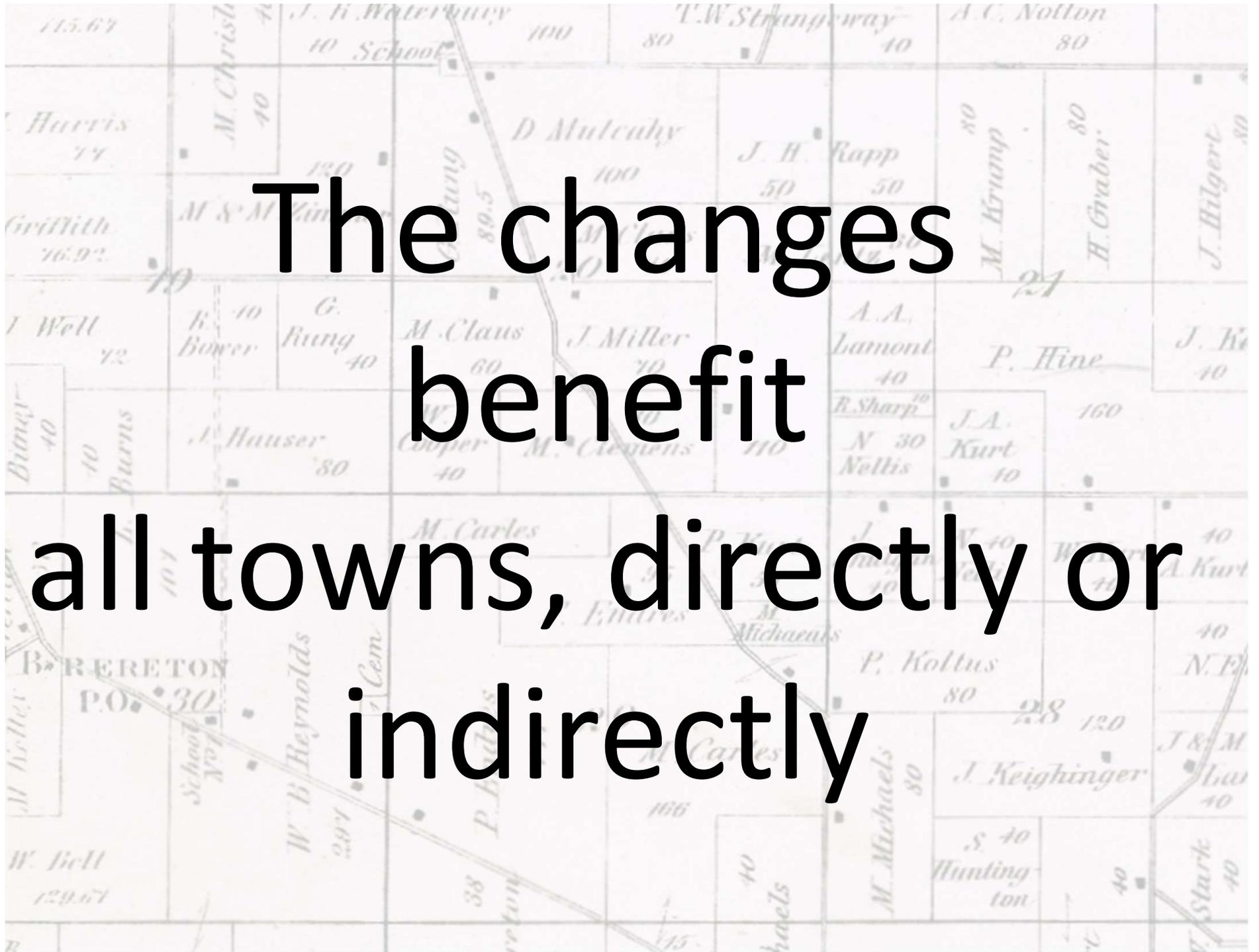
2015 Assembly Bill 563

Date of enactment: **February 29, 2016**

Date of publication*: **March 1, 2016**

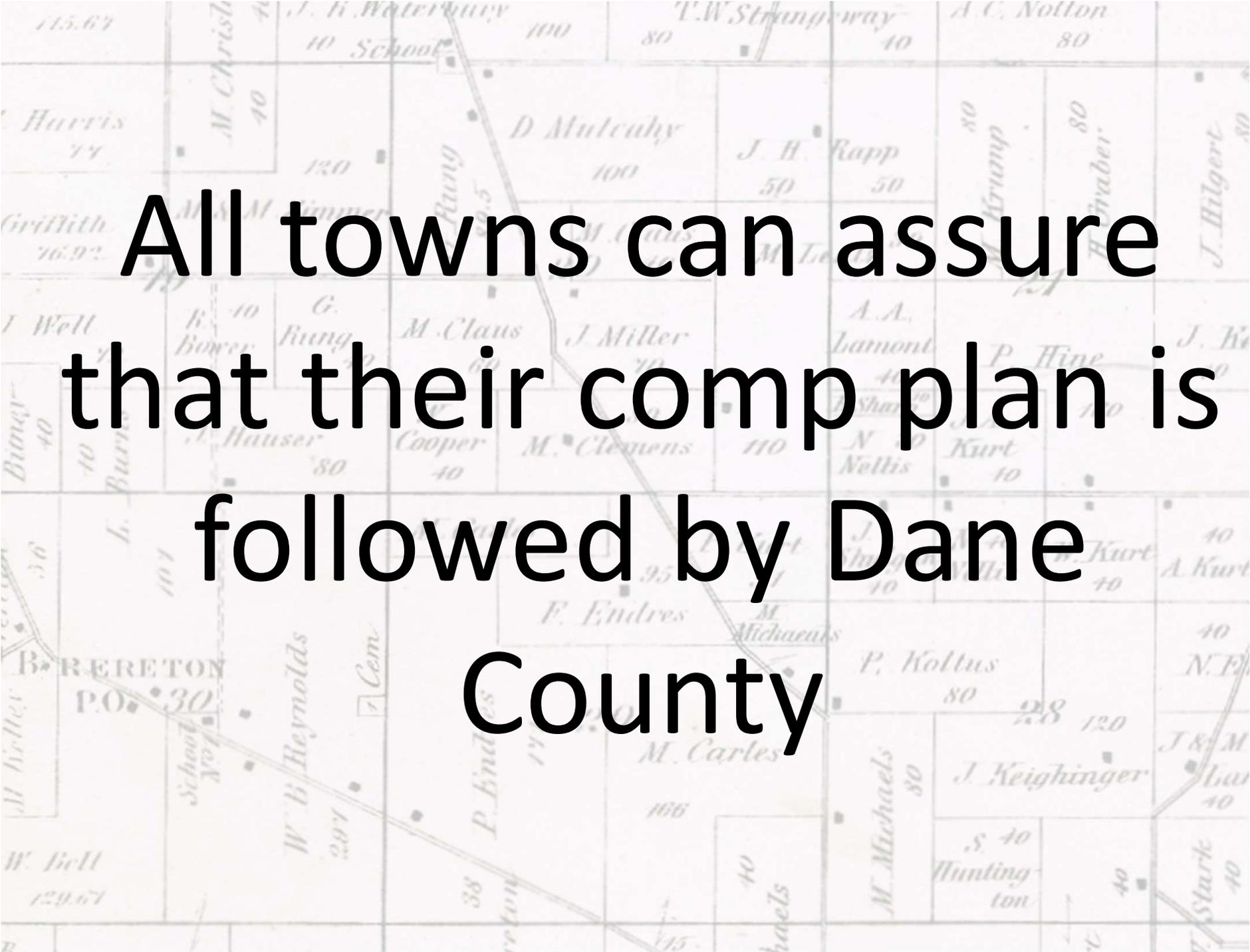
2015 WISCONSIN ACT 178

AN ACT to renumber and amend 236.10 (1) (c); to amend 59.69 (3) (a), 59.69 (3) (b), 59.69 (3) (e), 59.69 (5) (c), 60.62 (1), 60.62 (3) (a), 236.10 (1) (b) 3. and 236.34 (1) (dm); and to create 59.69 (5m), 59.692 (1p), 60.23 (34), 60.62 (6), 87.30 (1r), 236.10 (1m) and 236.34 (2m) of the statutes; relating to: authorizing towns located in populous counties to withdraw from county zoning; requiring certain towns to enact a zoning ordinance and a comprehensive plan; removing plat and certified survey map approval authority from a county if the town in which the subdivision or land

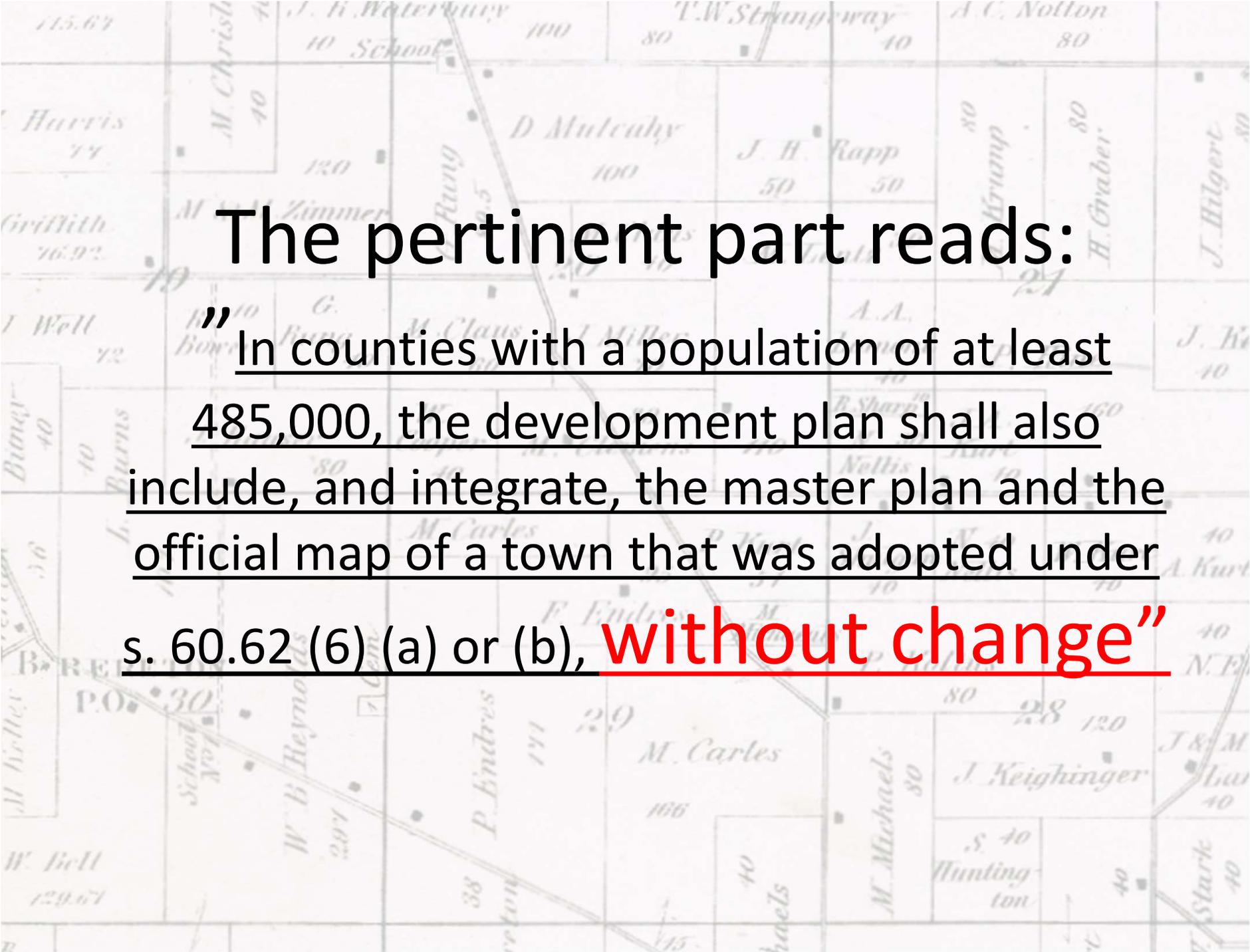


The changes
benefit

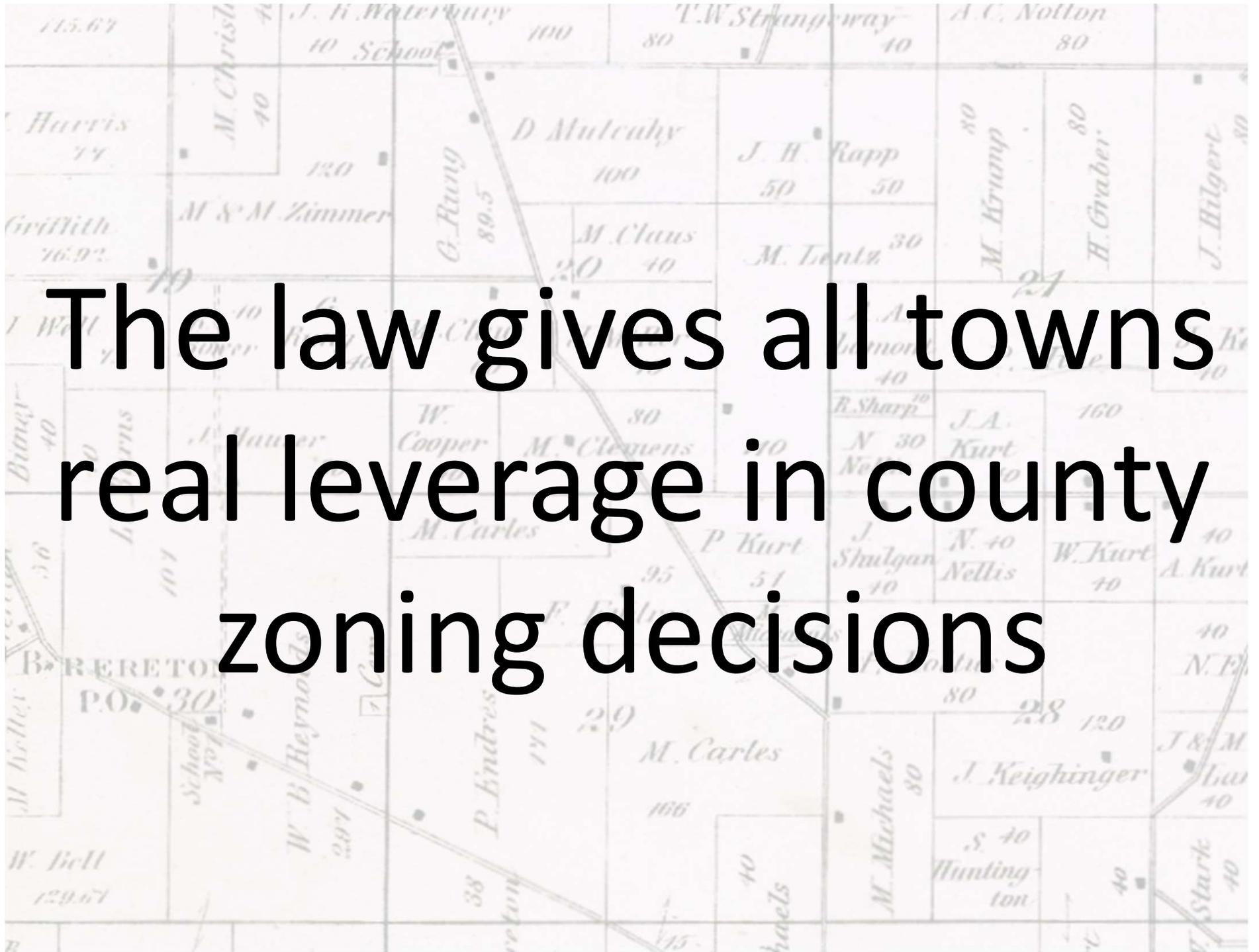
all towns, directly or
indirectly



All towns can assure
that their comp plan is
followed by Dane
County

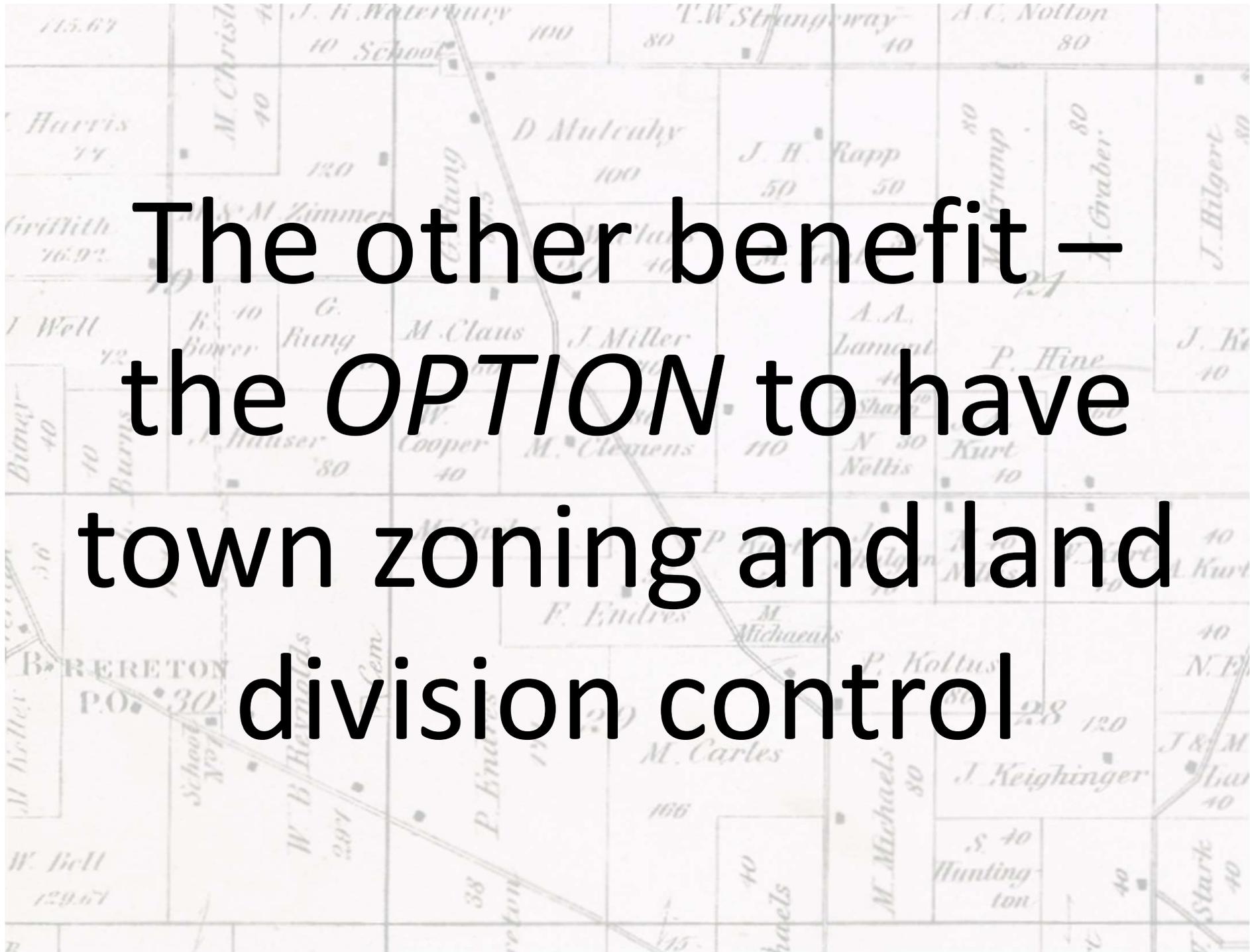


The pertinent part reads:
” In counties with a population of at least 485,000, the development plan shall also include, and integrate, the master plan and the official map of a town that was adopted under s. 60.62 (6) (a) or (b), **without change**”



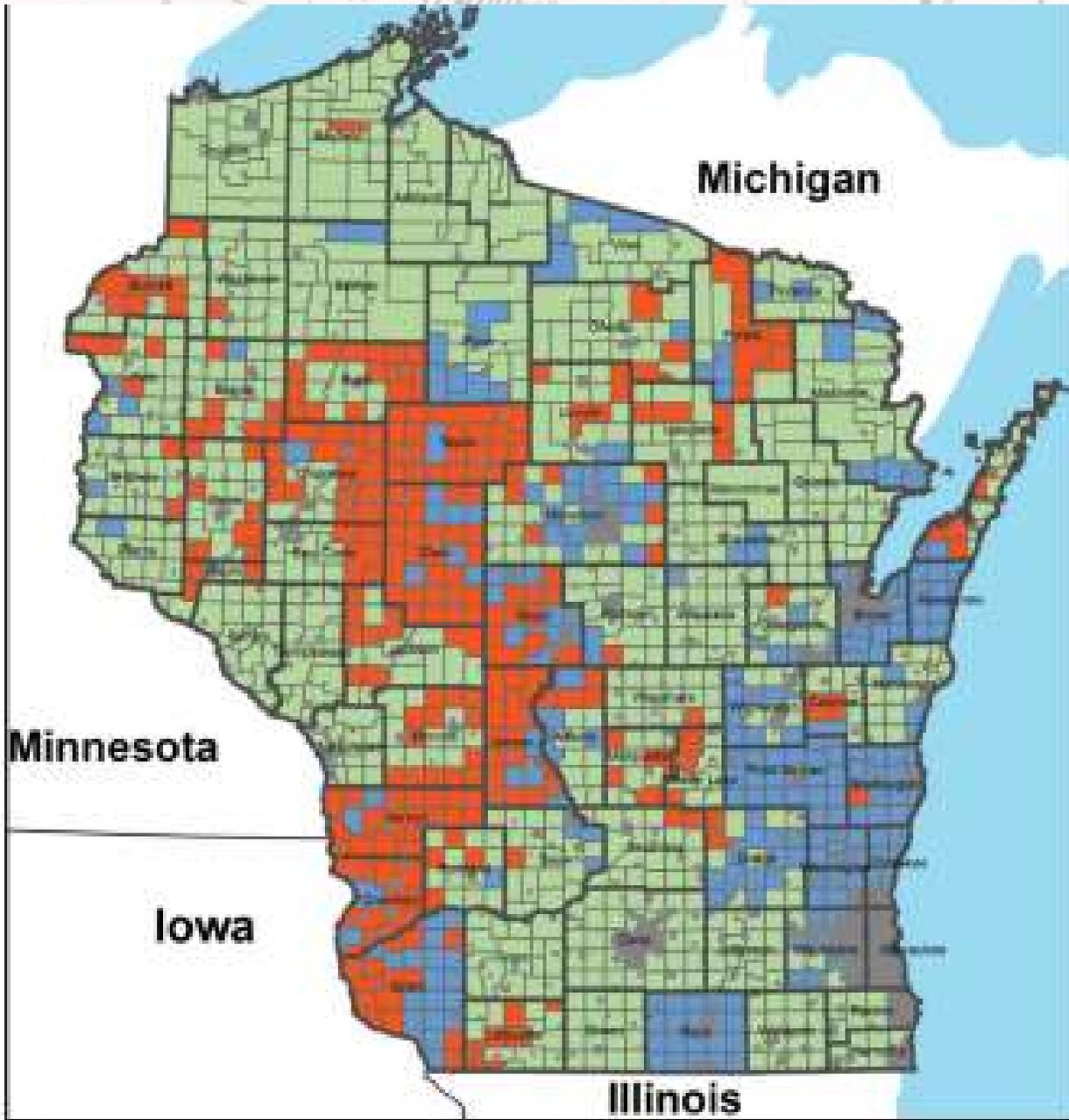
The law gives all towns
real leverage in county
zoning decisions





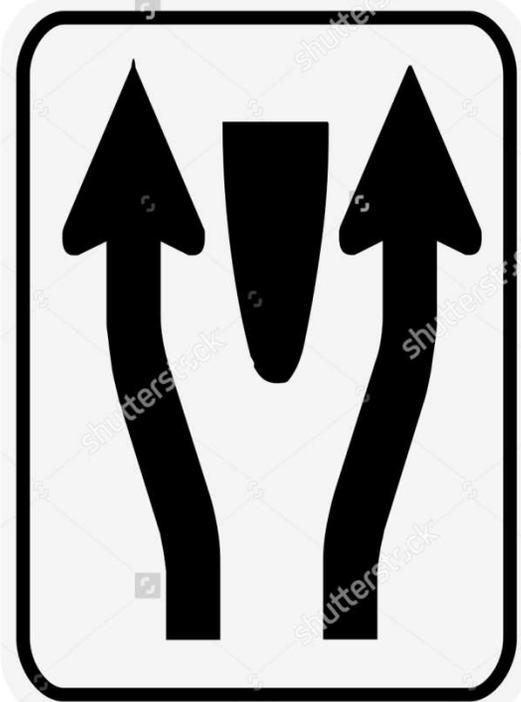
The other benefit –
the *OPTION* to have
town zoning and land
division control

Some ask --
Can Dane County
Towns Handle
Zoning?



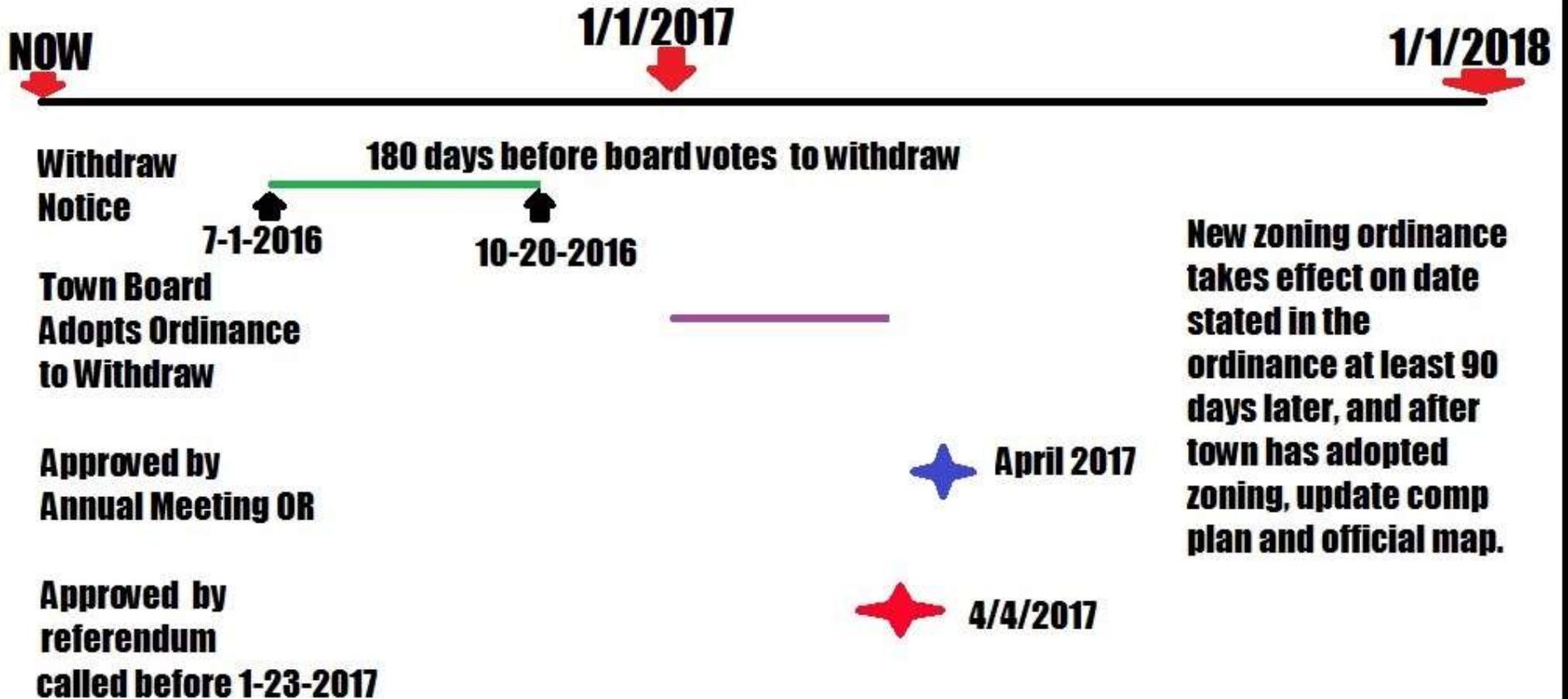
Almost
300
Townships
Have
Done So
For
Decades

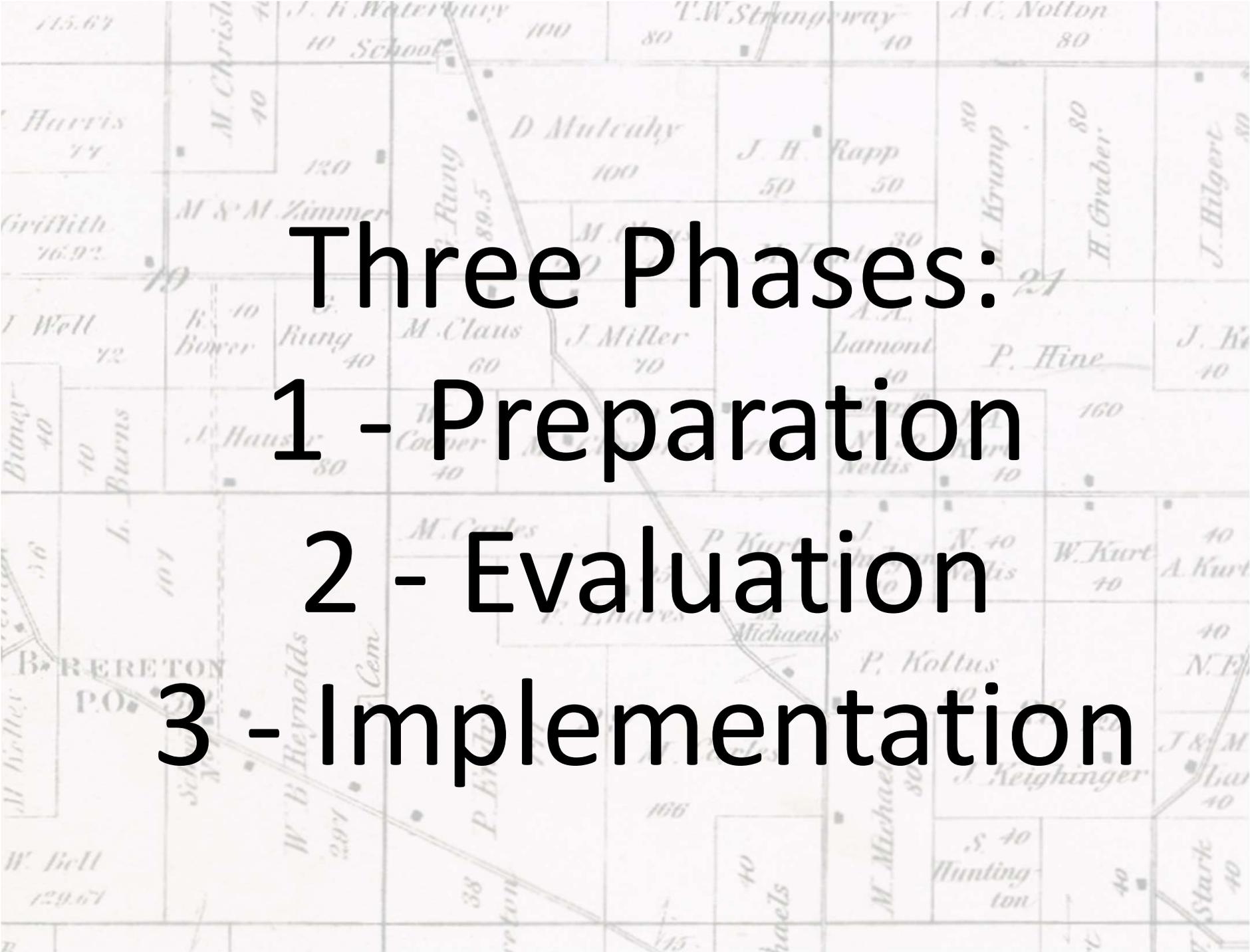
What lies ahead?



A choice
for towns

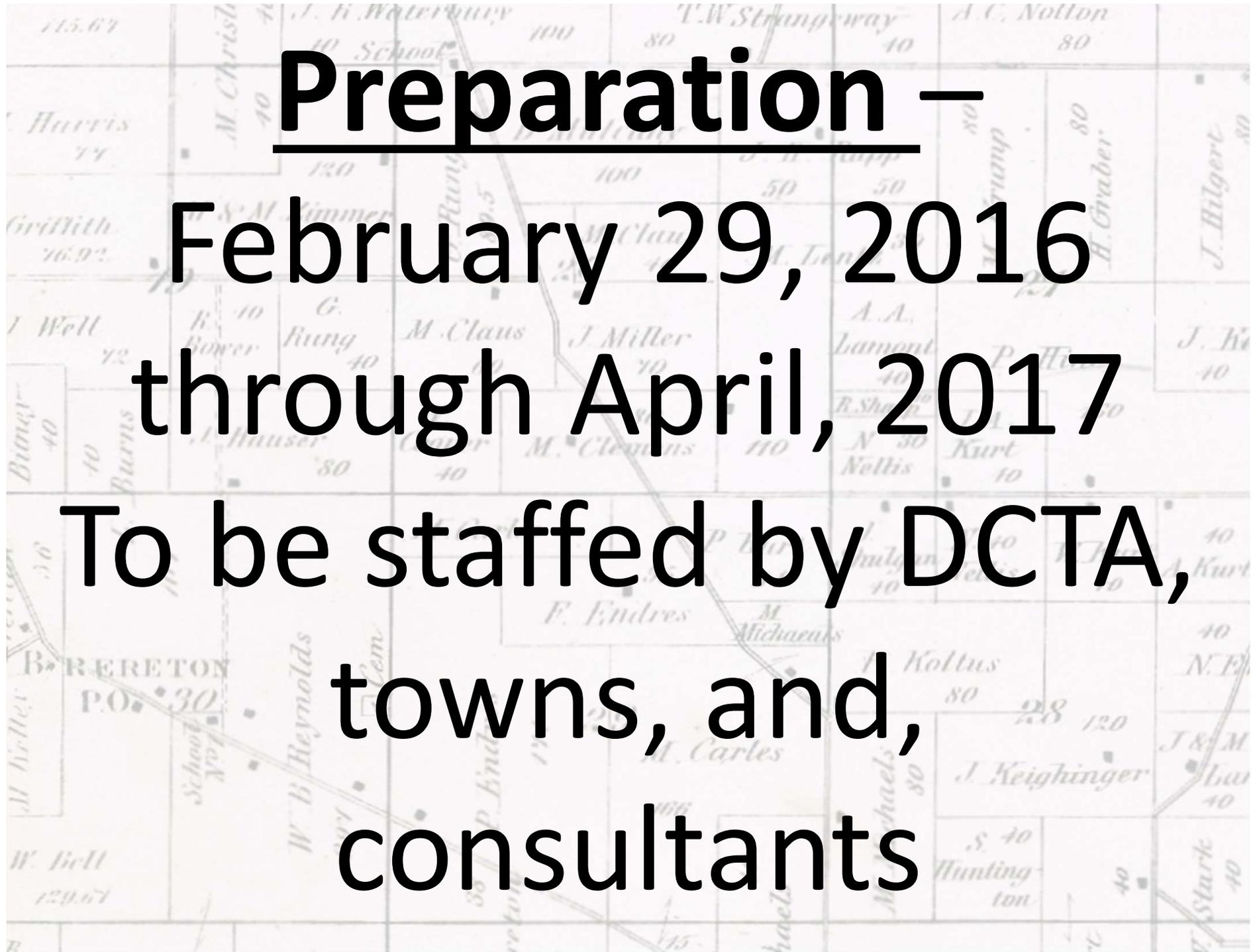
TOWN WITHDRAWAL TIMELINE





Three Phases:

- 1 - Preparation**
- 2 - Evaluation**
- 3 - Implementation**

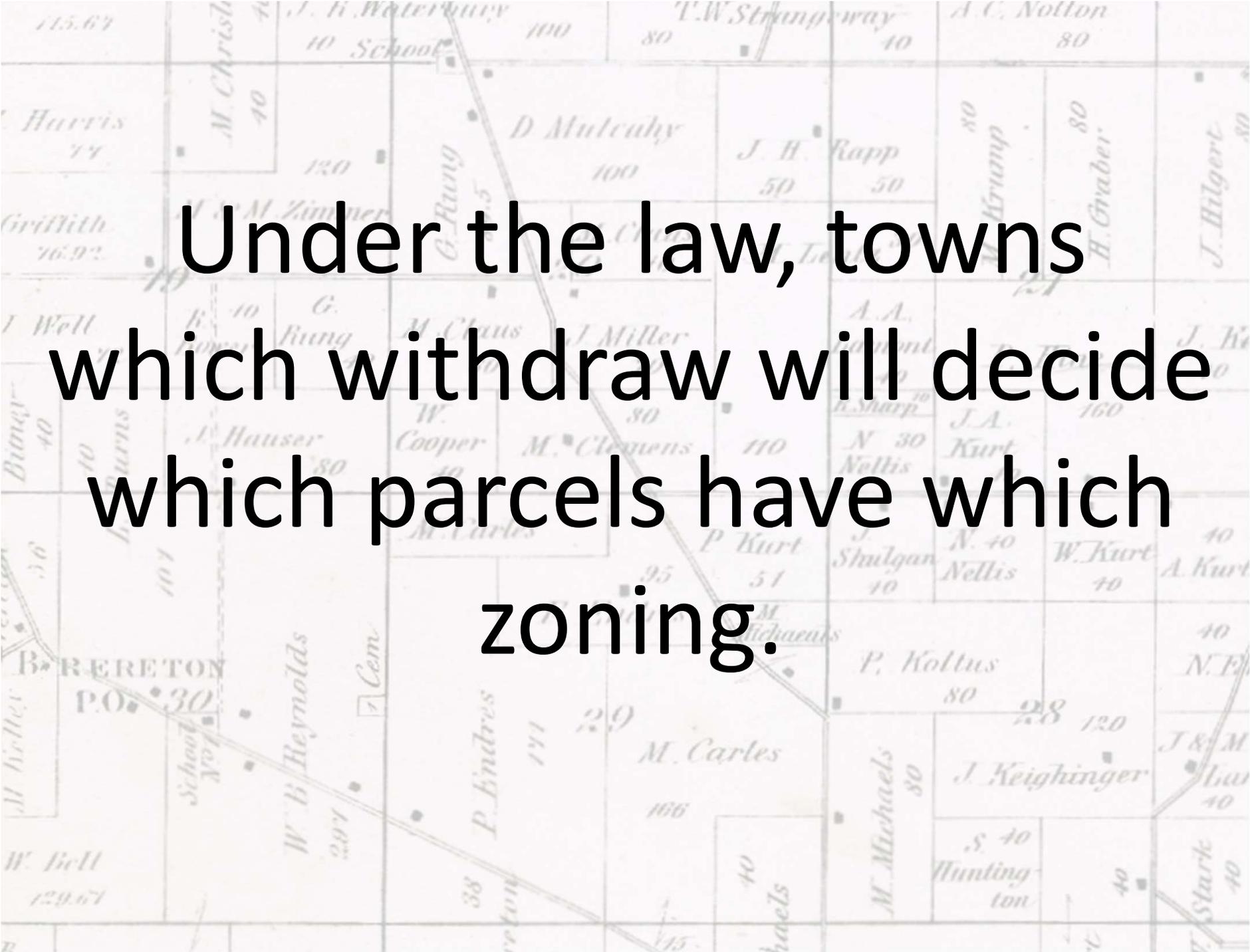


Preparation –

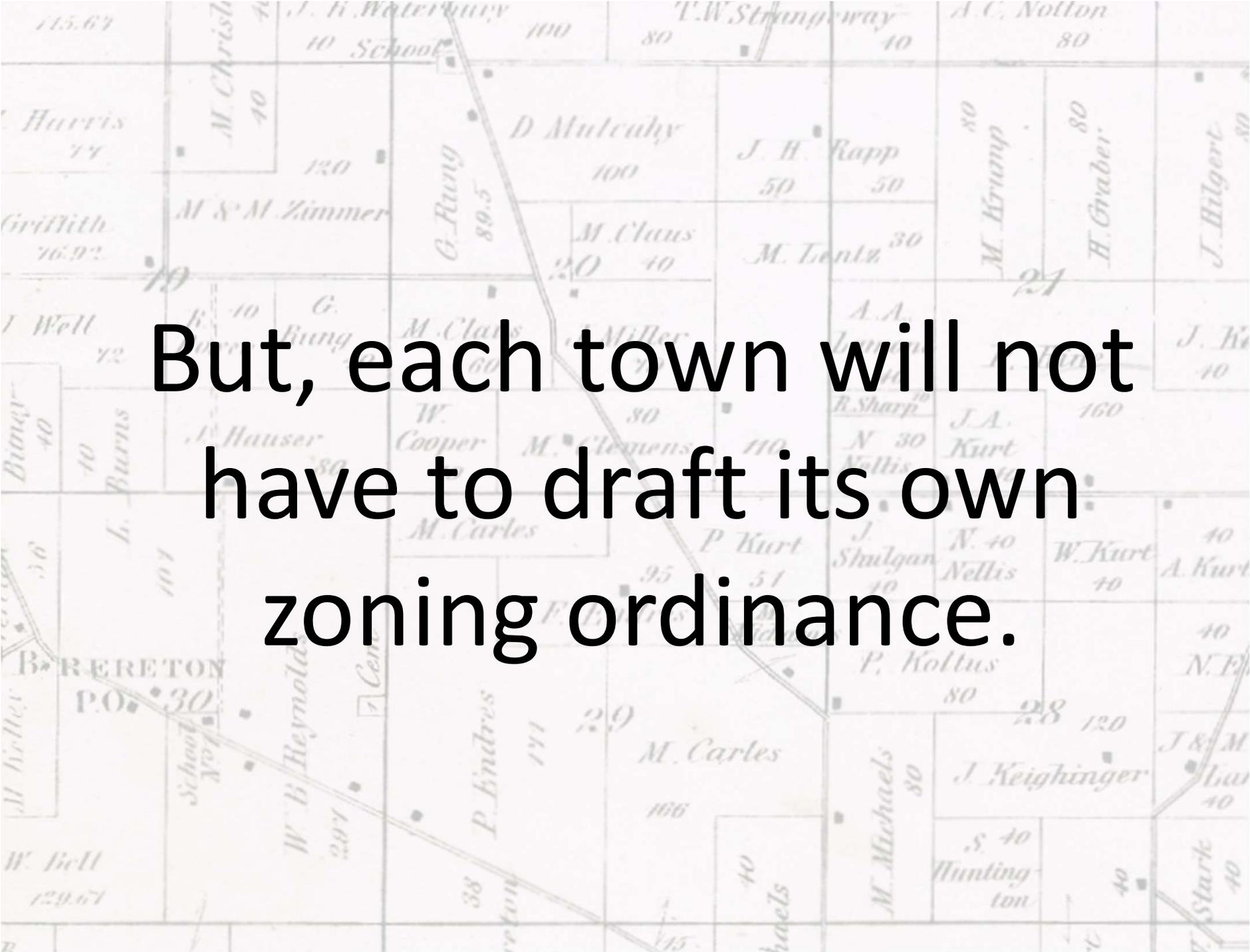
February 29, 2016
through April, 2017

To be staffed by DCTA,
towns, and,
consultants

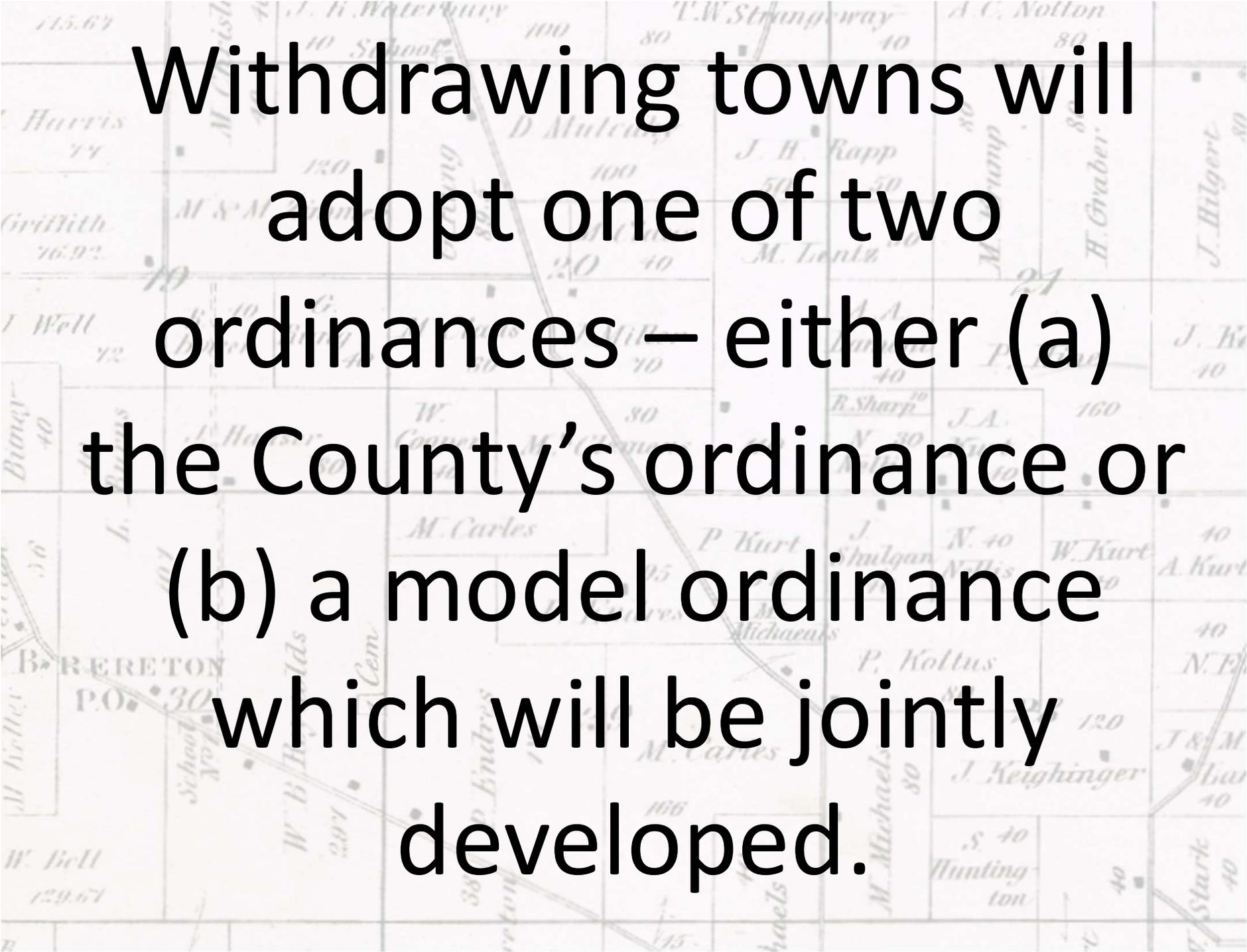
-
- DCTA and towns will:
 - create *draft* the zoning ordinance
 - Identify administrative options
 - Educate towns and citizens



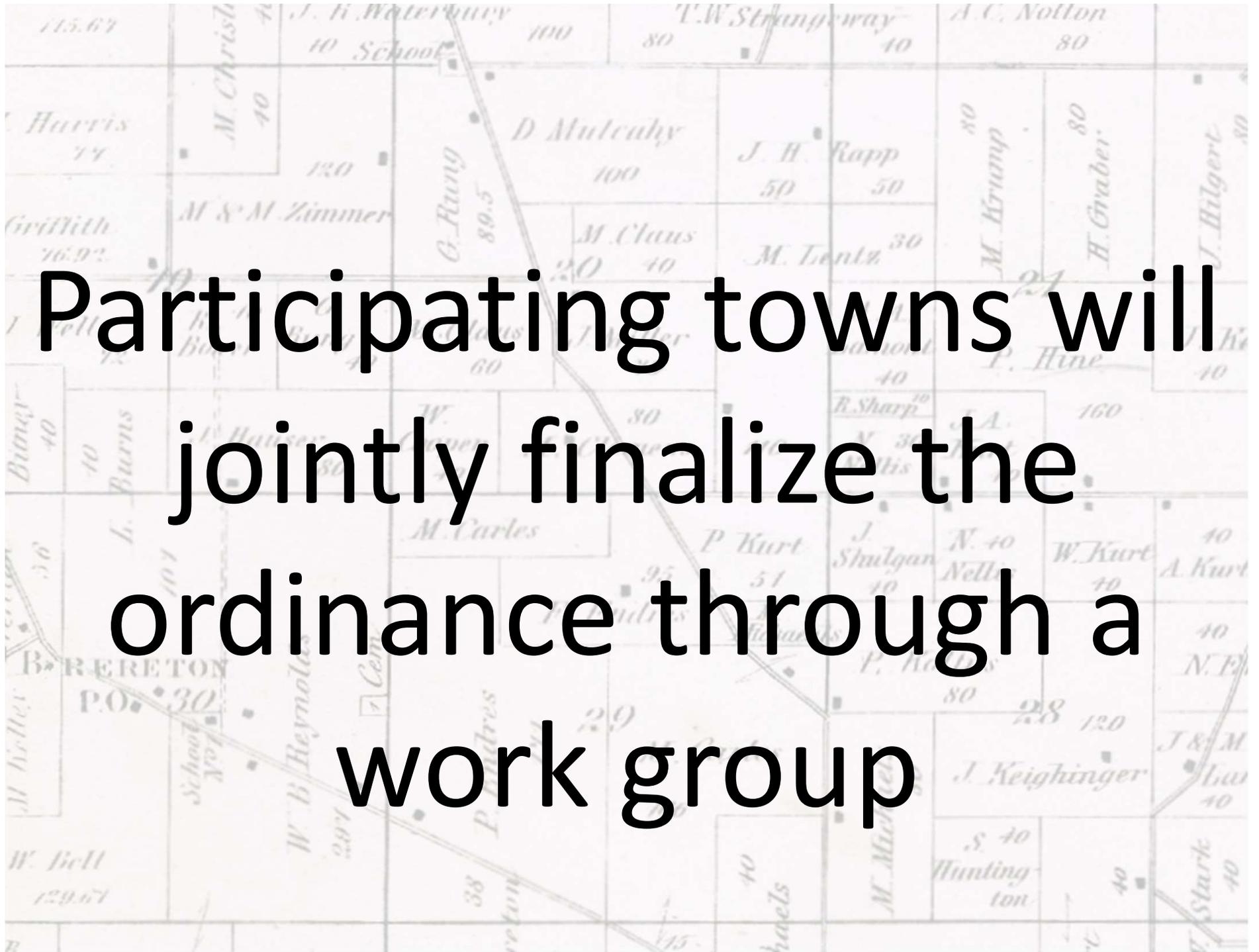
Under the law, towns
which withdraw will decide
which parcels have which
zoning.



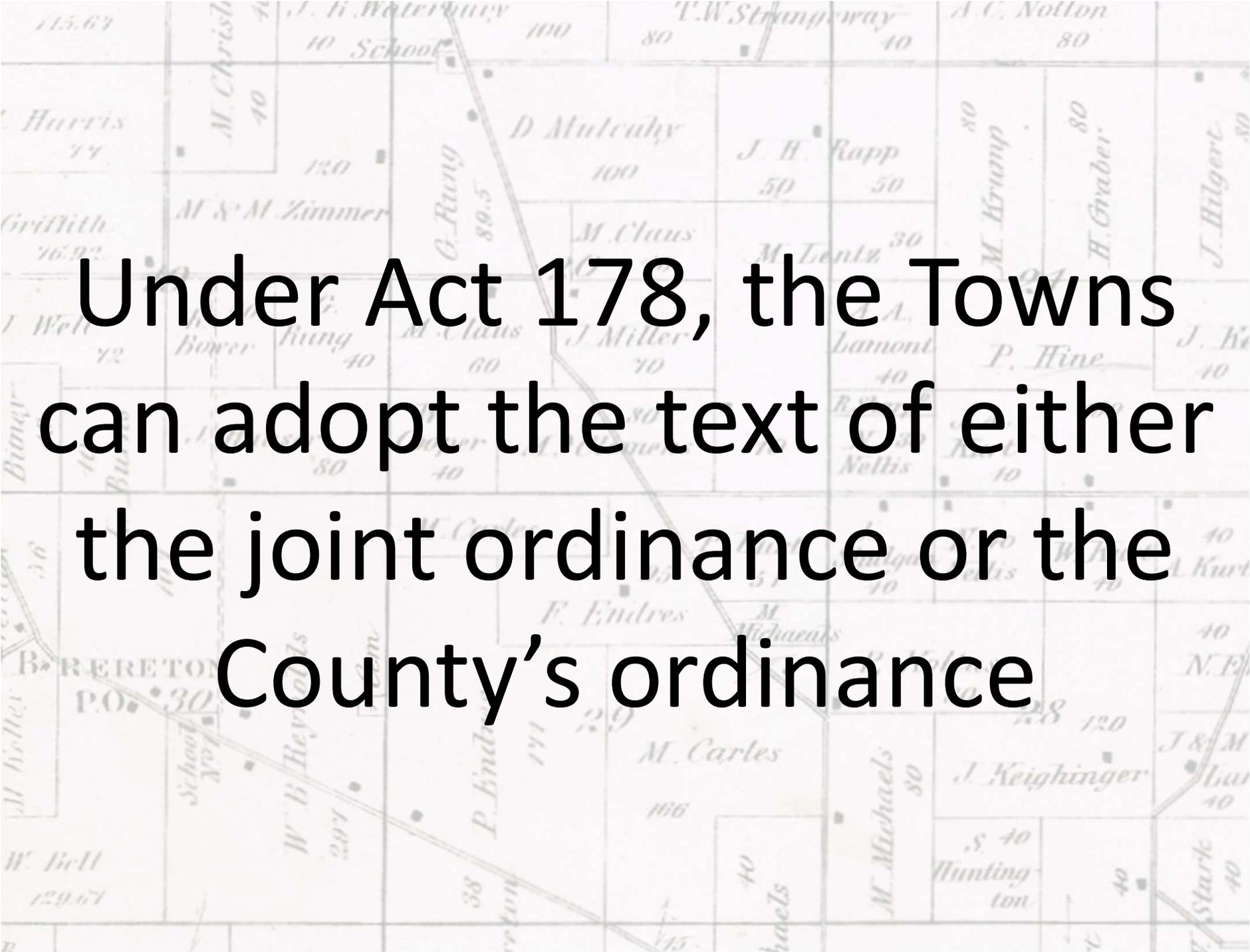
But, each town will not
have to draft its own
zoning ordinance.



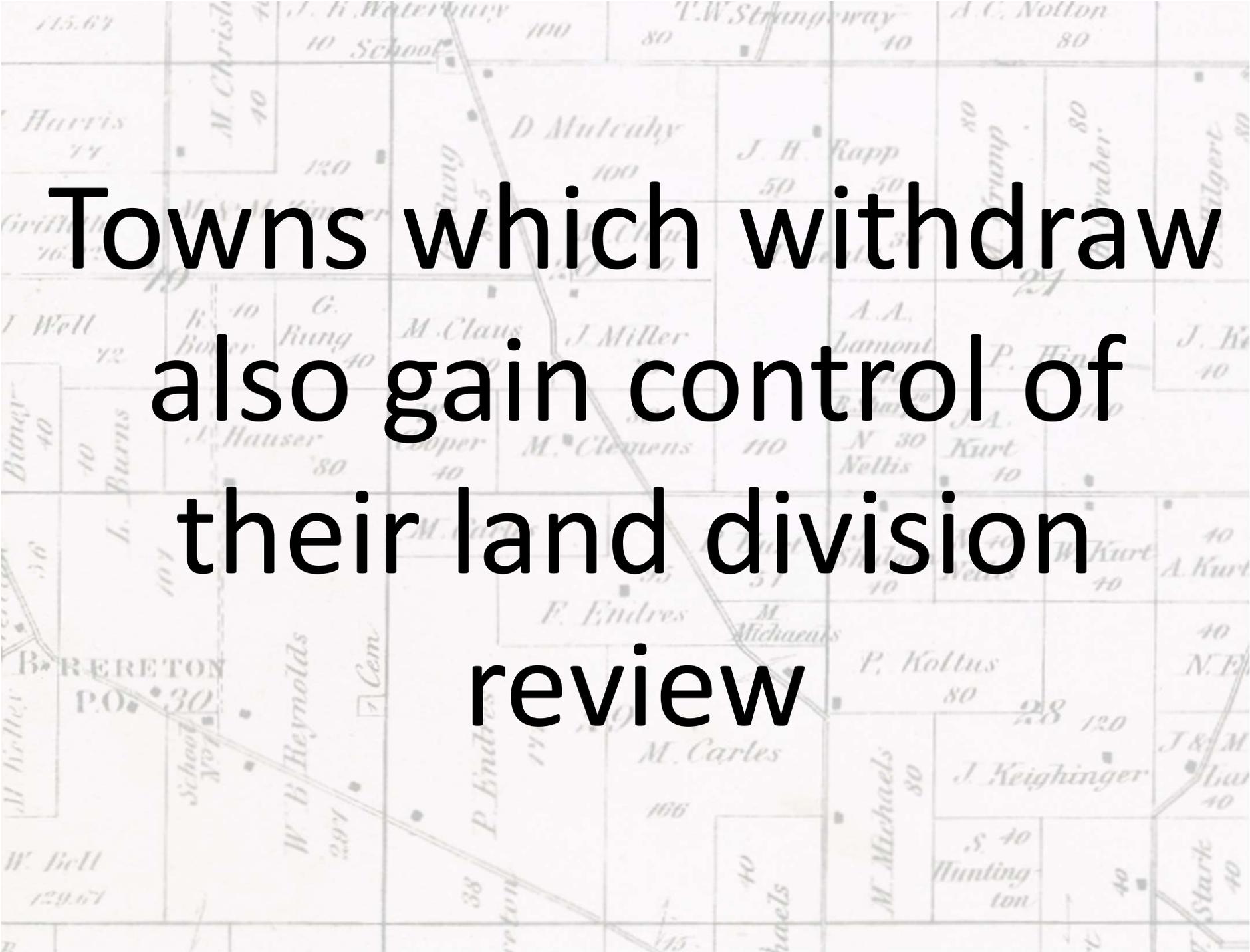
Withdrawing towns will
adopt one of two
ordinances – either (a)
the County’s ordinance or
(b) a model ordinance
which will be jointly
developed.



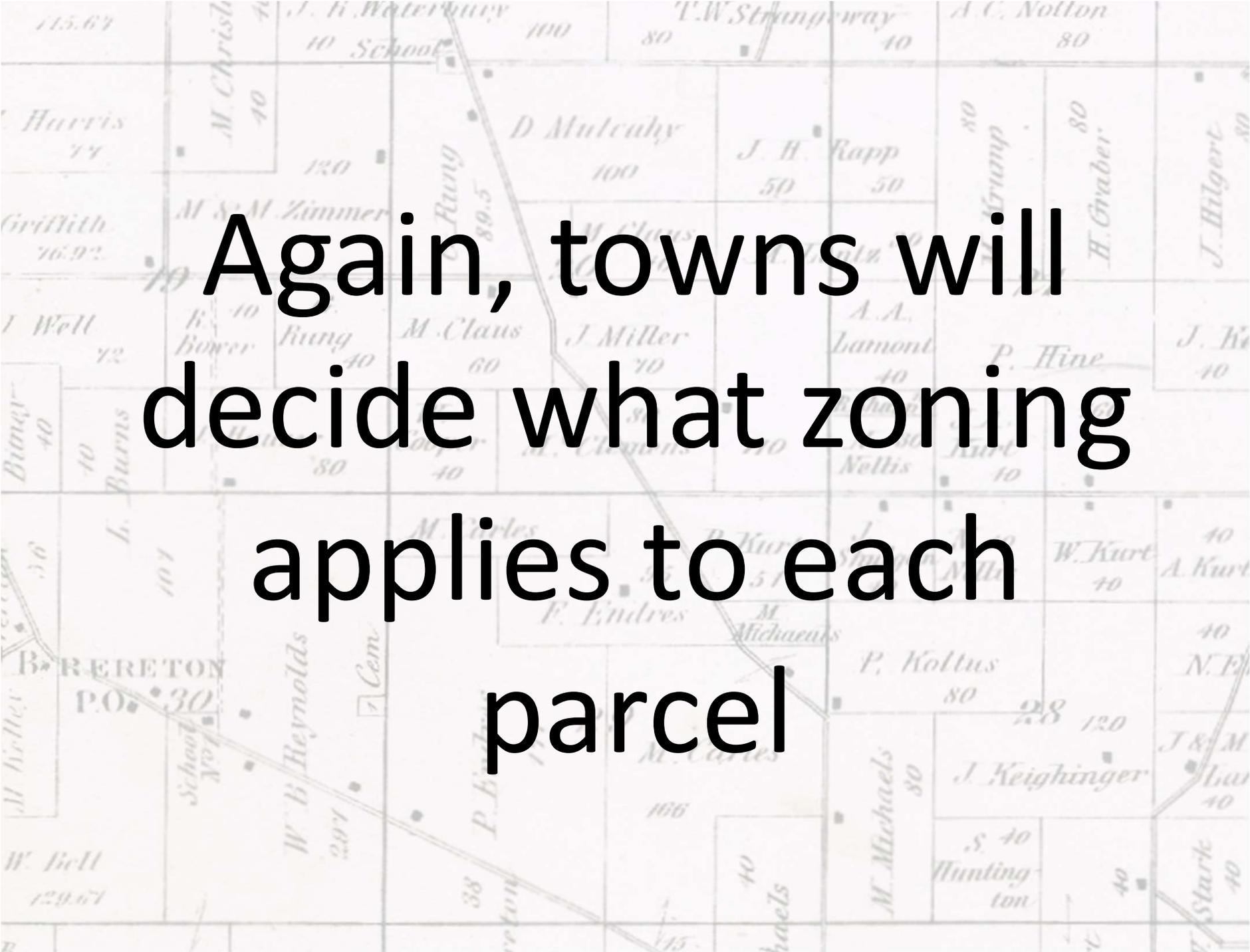
Participating towns will
jointly finalize the
ordinance through a
work group



Under Act 178, the Towns
can adopt the text of either
the joint ordinance or the
County's ordinance



Towns which withdraw
also gain control of
their land division
review



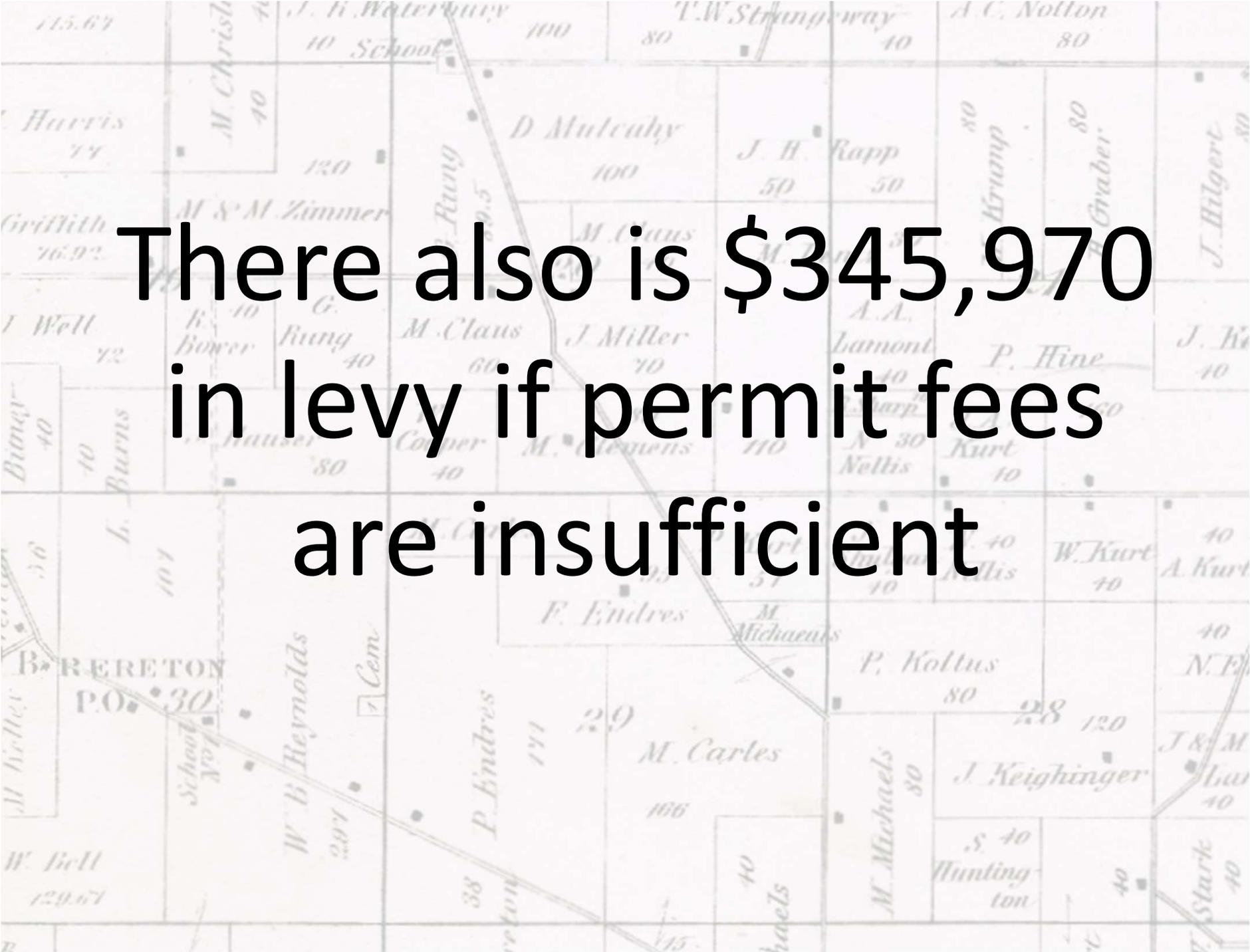
Again, towns will
decide what zoning
applies to each
parcel

Administration:

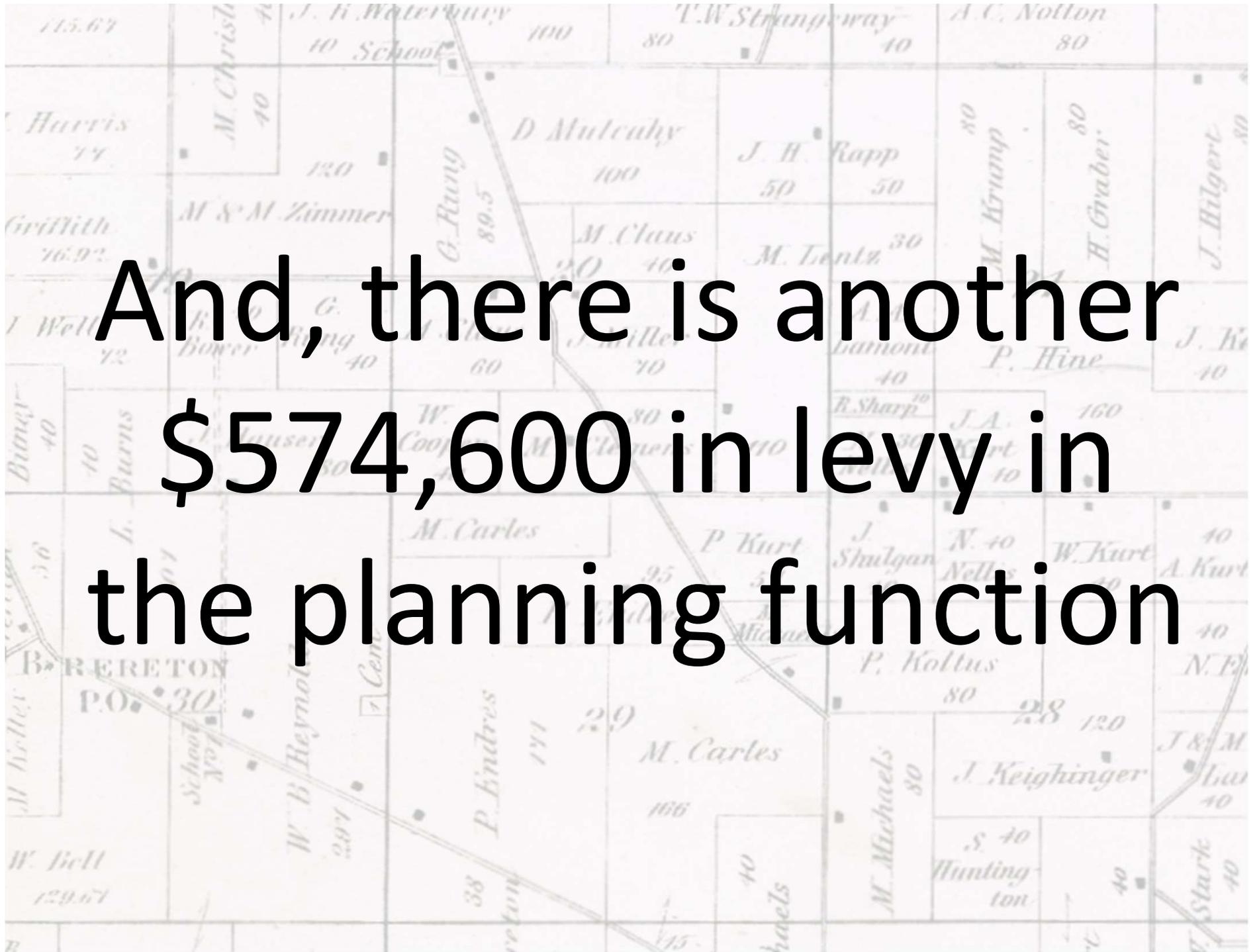
☞ Resolve funding issues

☞ Select qualified contractors

☞ Identify databases and vendors



There also is \$345,970
in levy if permit fees
are insufficient



And, there is another \$574,600 in levy in the planning function

Current fees, county + town, are already substantial

2014 Fee Schedule - Department of Planning & Development

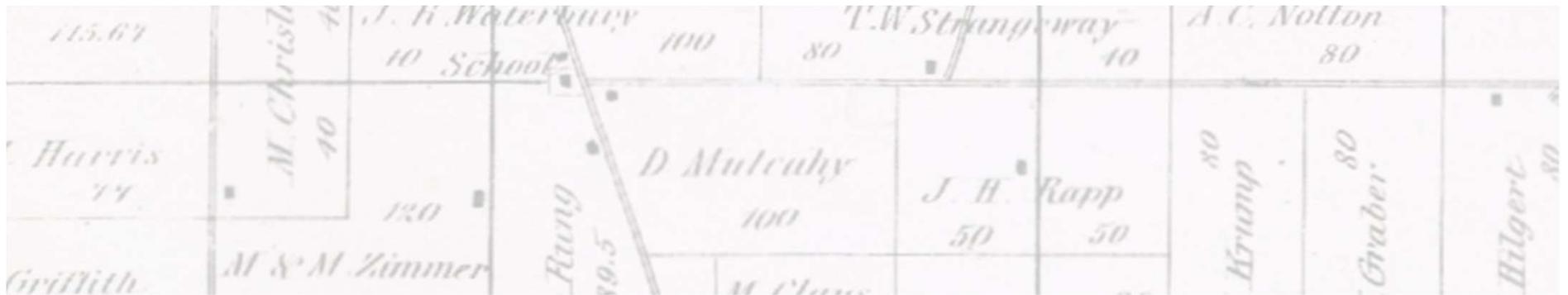
The following fees are subject to periodic revision by the Dane County Board of Supervisors
Fees are imposed according to the schedule defined in the Dane County Code of Ordinance

Zoning Permits

- | | |
|---|------------------------------|
| <input type="checkbox"/> Cell Tower Modification | \$500.00 |
| <input type="checkbox"/> Single Family Residence's | \$50.00 + \$.075/square foot |
| o Includes additions, alterations & agricultural/residential accessory buildings. | |
| <input type="checkbox"/> Commercial/Multi-Family | \$200.00 + \$2.00/\$1000.00 |
| o Includes additions & alterations. | |
| <input type="checkbox"/> Sign Permits | |
| o On-Premise Advertising/Subdivision | \$100.00 |
| o Marquee | \$100.00/sign |
| o Limited Family Business/Home Occupation | \$50.00 |
| o Directory | \$100.00/each face |
| o Development | \$75.00/each face |
| o Billboards | \$250.00/each face |
| o Apartment Complex | \$75.00 |

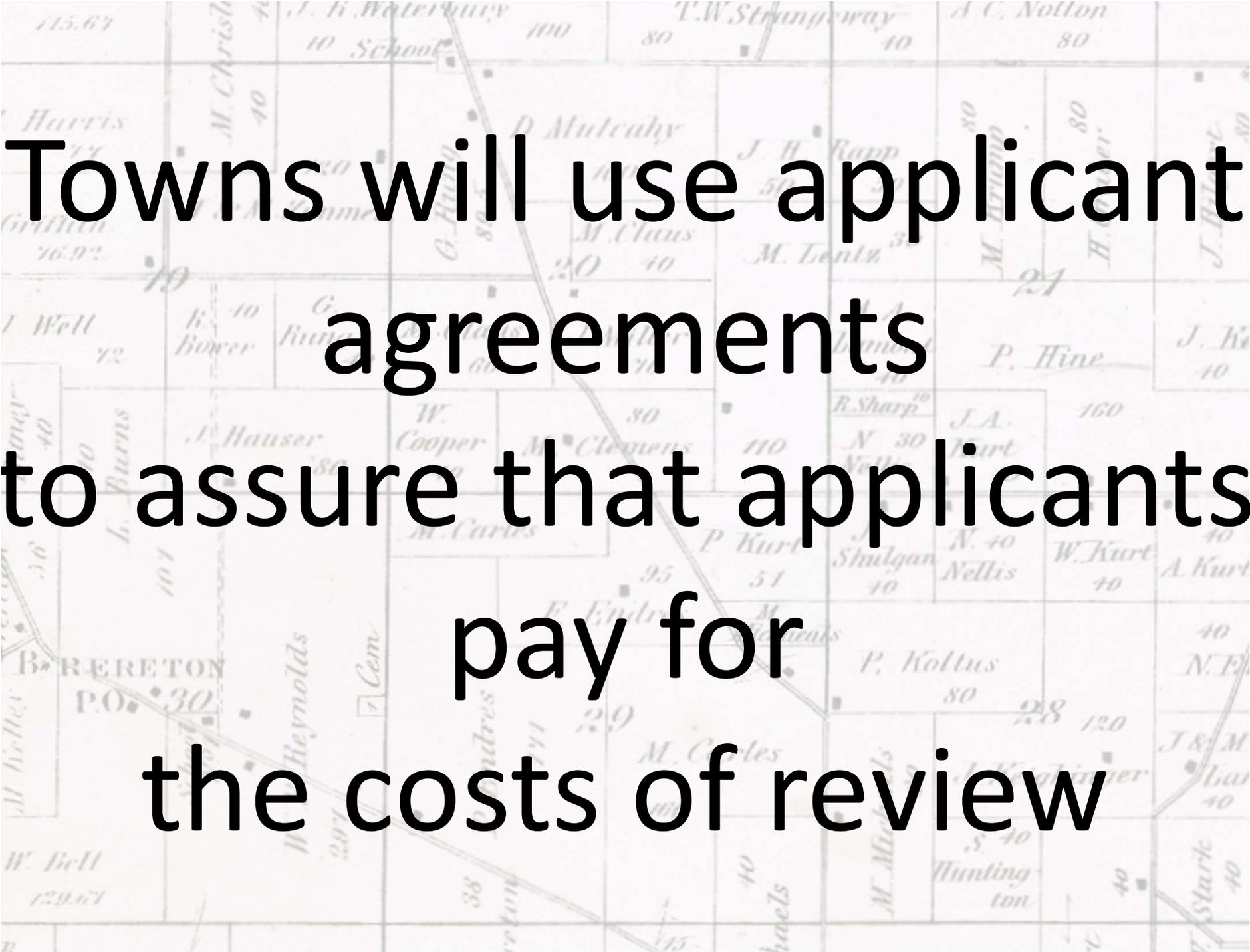
Zoning Amendments

- | | |
|--|----------|
| <input type="checkbox"/> A1 to another district | \$386.00 |
| <input type="checkbox"/> One district to another (not A1-Ex, M1, C1, C2) | \$386.00 |
| <input type="checkbox"/> A1-Exclusive to another district | \$486.00 |
| <input type="checkbox"/> Additional fees to Zoning Amendments | |

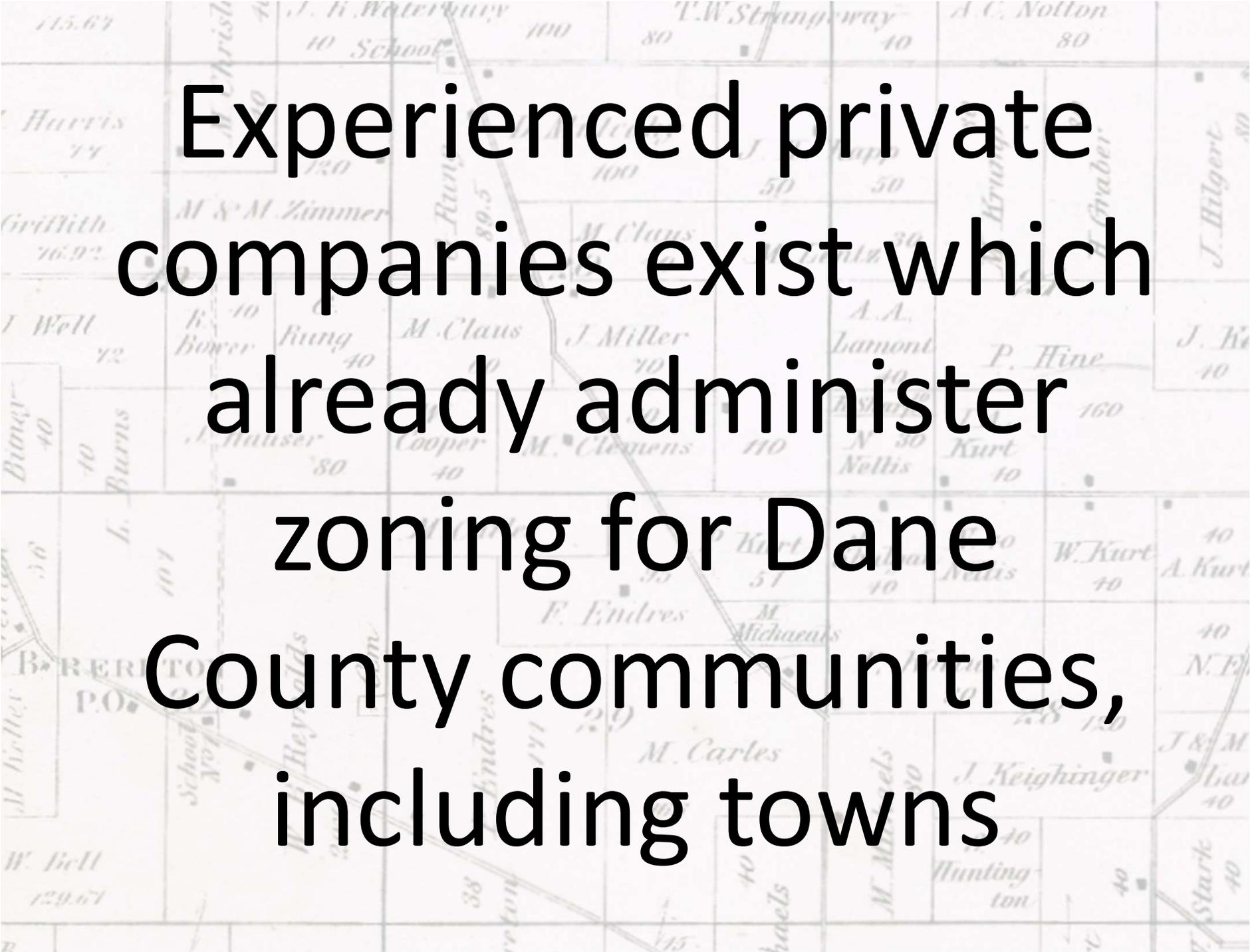


Fees Structure	Tn of Clyman	Tn of Quincy	Dane County
- Zoning Permit	\$10*	\$75-\$100*	\$50 + 7.5¢/SF
- Conditional Use Permit	\$300	\$200	\$486
- CSM	\$250	\$200	\$236/lot
- Subdivision Plat	\$1,000	\$200 + ZA fees	\$500 + \$236/lot
- Rezone	\$300	\$200 + ZA fees	\$386
- <u>Shoreland/Wetland Zoning</u>			\$150
- Signs	\$50	\$50	\$50ea to \$250/face
- Variance	\$300	\$200 + ZA fees	\$350



A faded historical map of a rural area, likely from the 19th century. The map shows a grid of land parcels, each labeled with a name and a number representing acreage. Names include J. H. Waterbury, T. W. Strangeway, A. C. Notton, M. Christ, D. Mulcahy, J. H. Rapp, M. Claus, M. Lentz, M. Hauser, W. Cooper, M. Clemons, R. Sharp, J. A. Kurt, N. 30, P. Kurt, Shulgan, N. 40, Nellis, W. Kurt, A. Kurt, P. Kottus, M. Coles, P. Kottus, J. & M. Starke, W. Bell, W. Reynolds, and others. A prominent road or path runs diagonally across the map. The text "B. RERETON P.O." is visible in the lower-left quadrant. The map is overlaid with large, bold, black text.

**Towns will use applicant
agreements
to assure that applicants
pay for
the costs of review**



Experienced private
companies exist which
already administer
zoning for Dane
County communities,
including towns

Zoning Administration



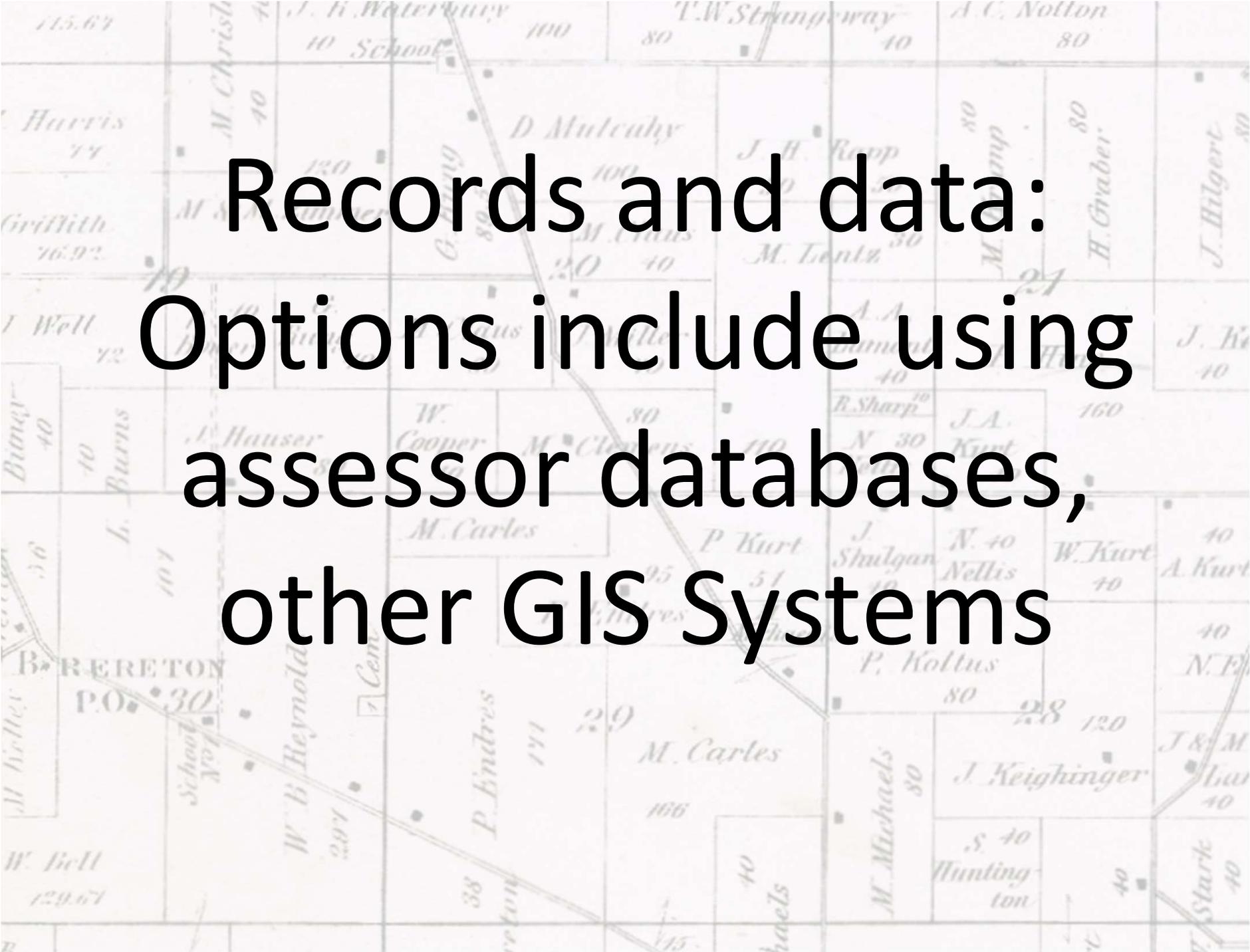
General Engineering Company understands the complex zoning issues associated with today's growing communities. Zoning can become a complicated process and often it is beneficial to have an impartial, unbiased administrator assisting you. We are experts in this field and can provide your community with these services.



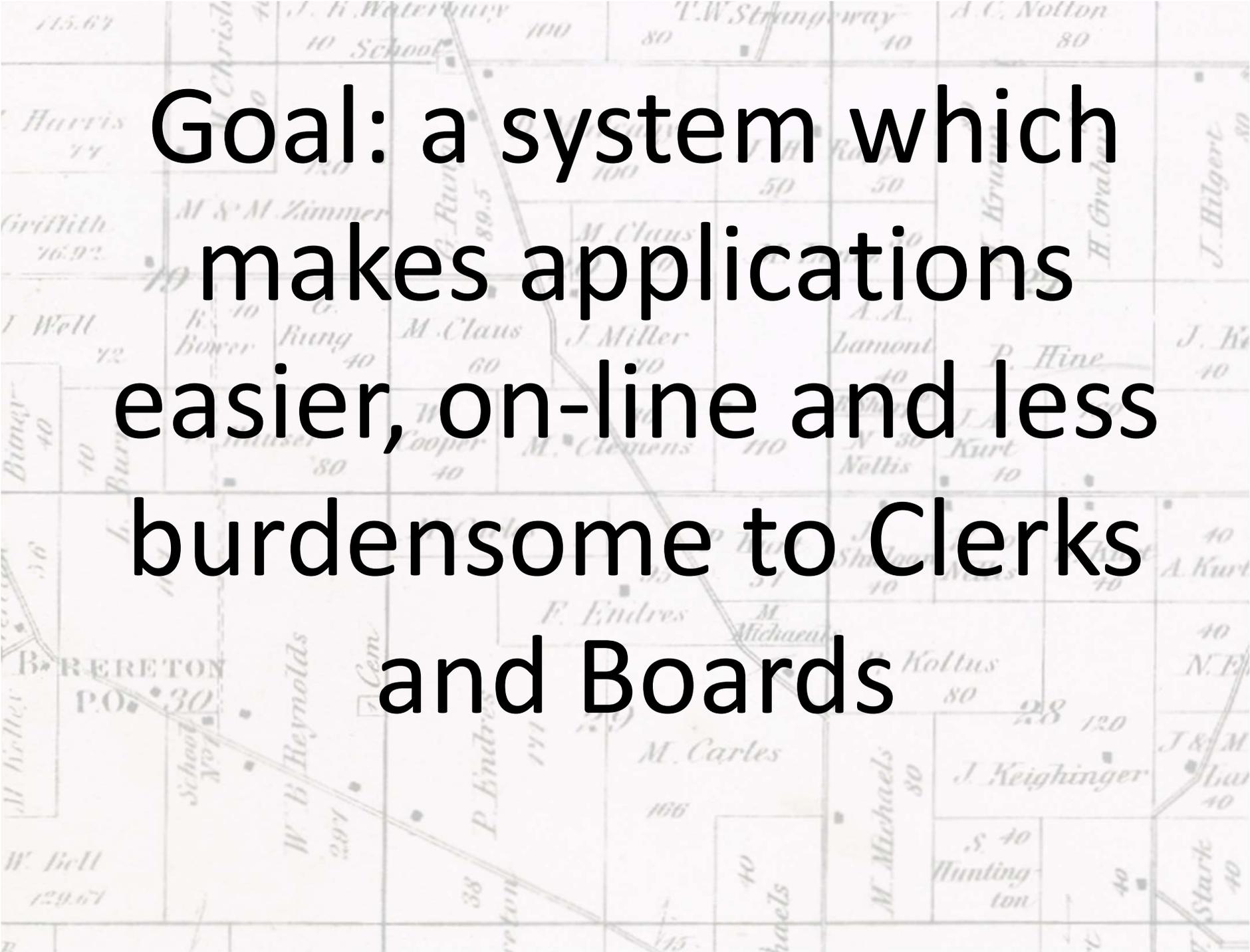
General Engineering Company welcomes the opportunity to provide our Zoning Administration services to you. You will find unmatched service in the following areas:

Our Services include:

- Zoning Ordinances
- Conditional Use Permits



**Records and data:
Options include using
assessor databases,
other GIS Systems**



Goal: a system which
makes applications
easier, on-line and less
burdensome to Clerks
and Boards

These improvements already are in use elsewhere

Online Services

Zoning Application

Enter Pre-application Conference Number or Zoning Case Number:

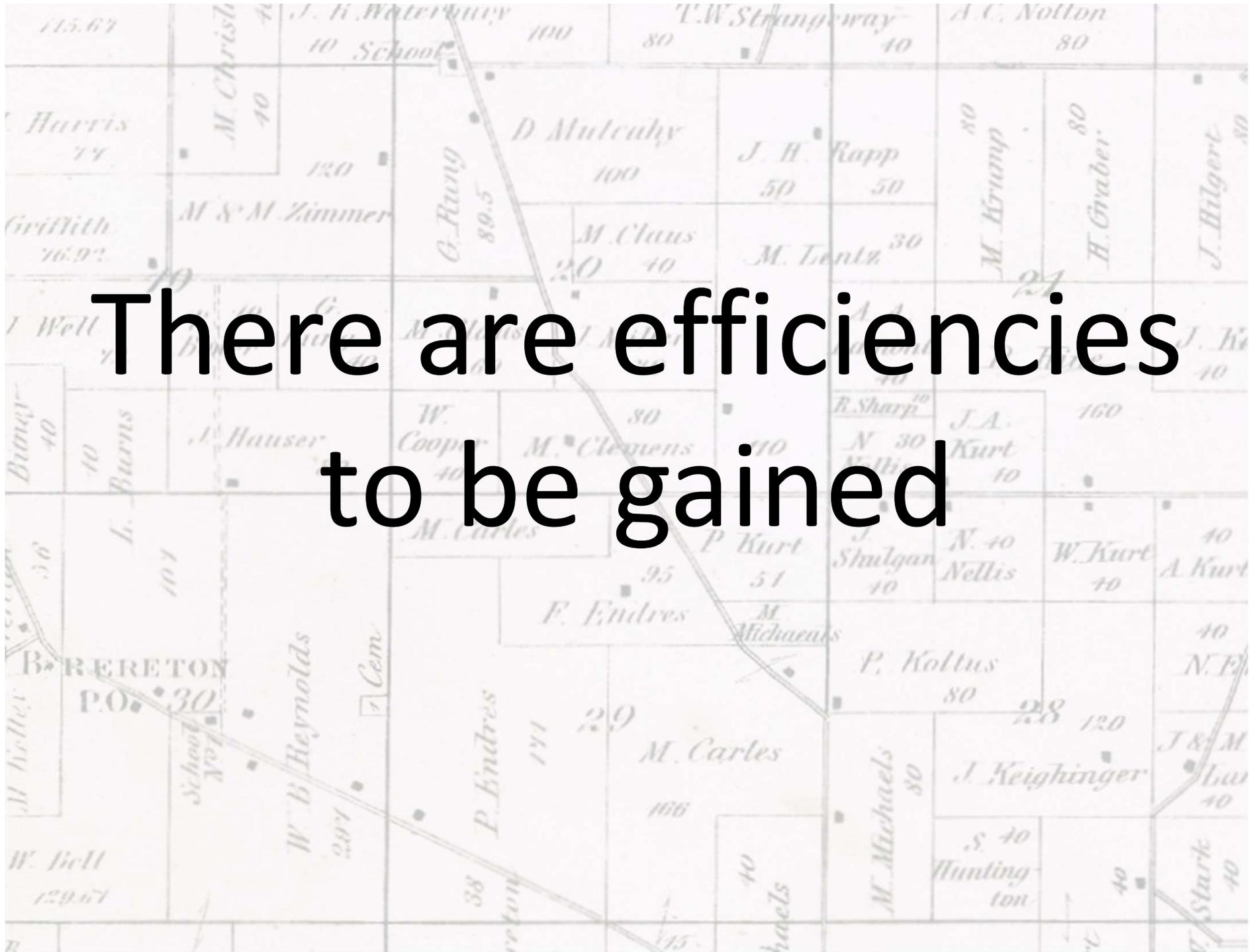
Enter PIN Number (this password is case specific):

Login

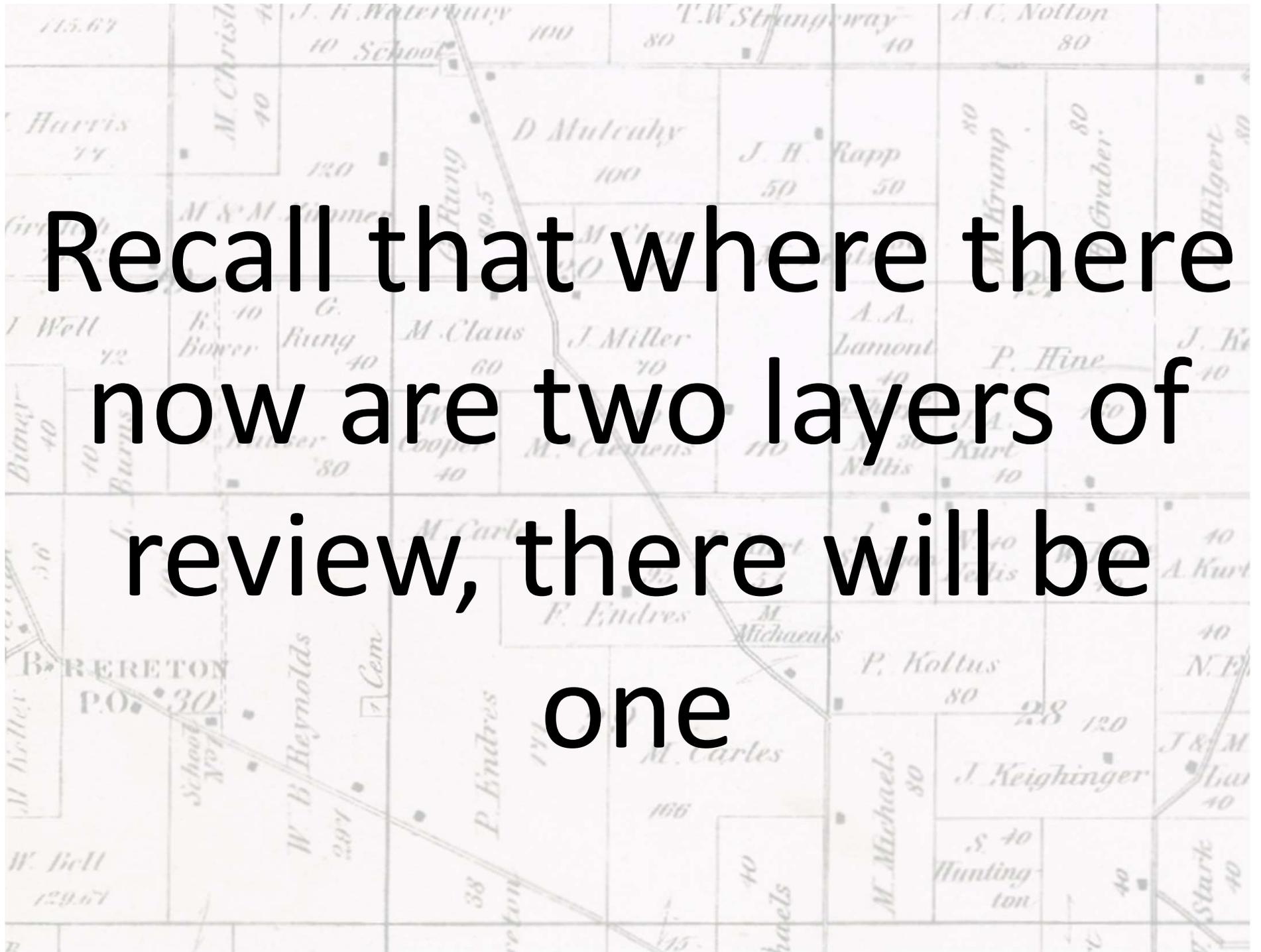


[Zoning Process Informational Links](#): © - Requesting a Rezoning © - Tips for Managing Your Zoning Application & Planning Com

CDIS Version: 1.2.1.0

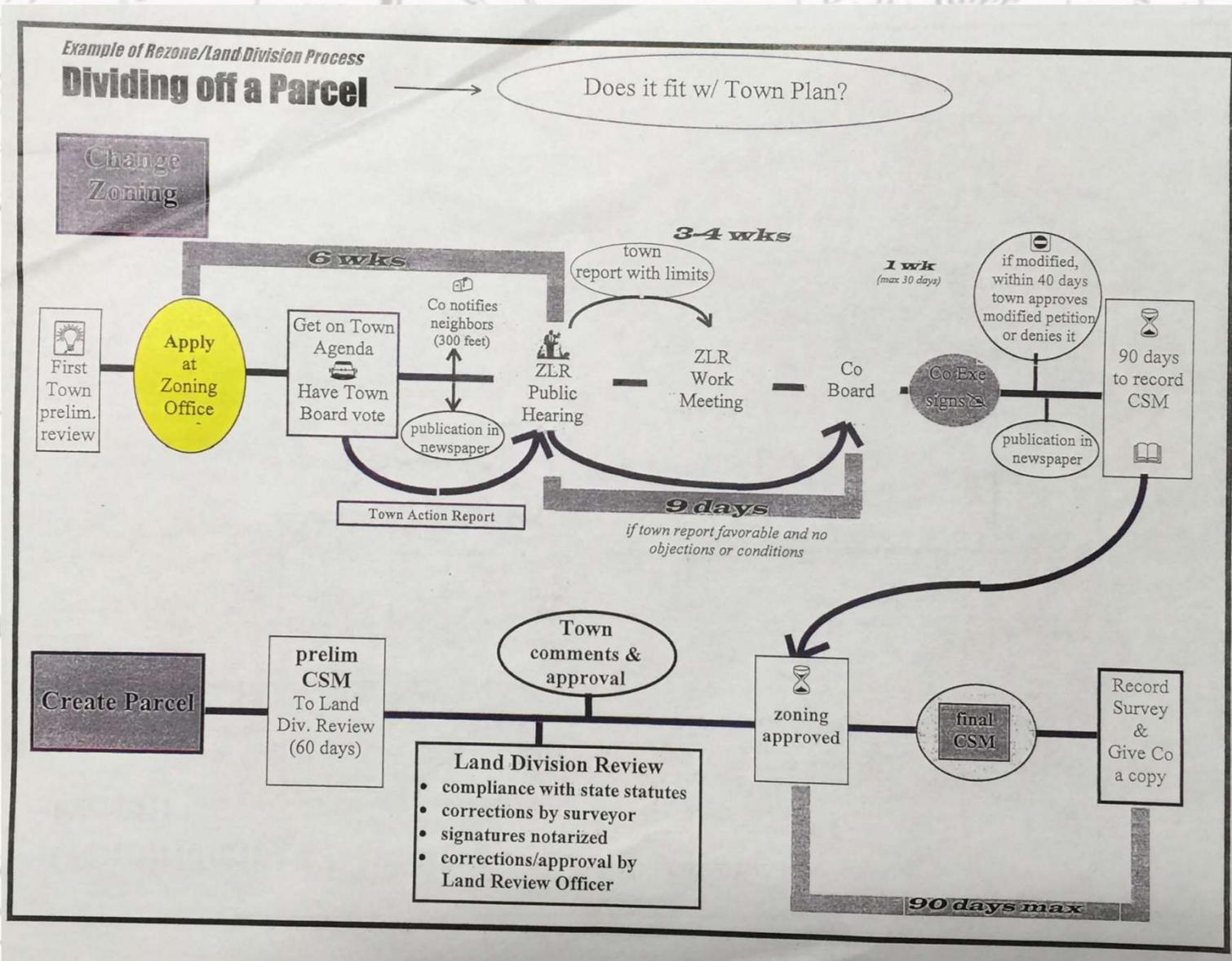


There are efficiencies
to be gained



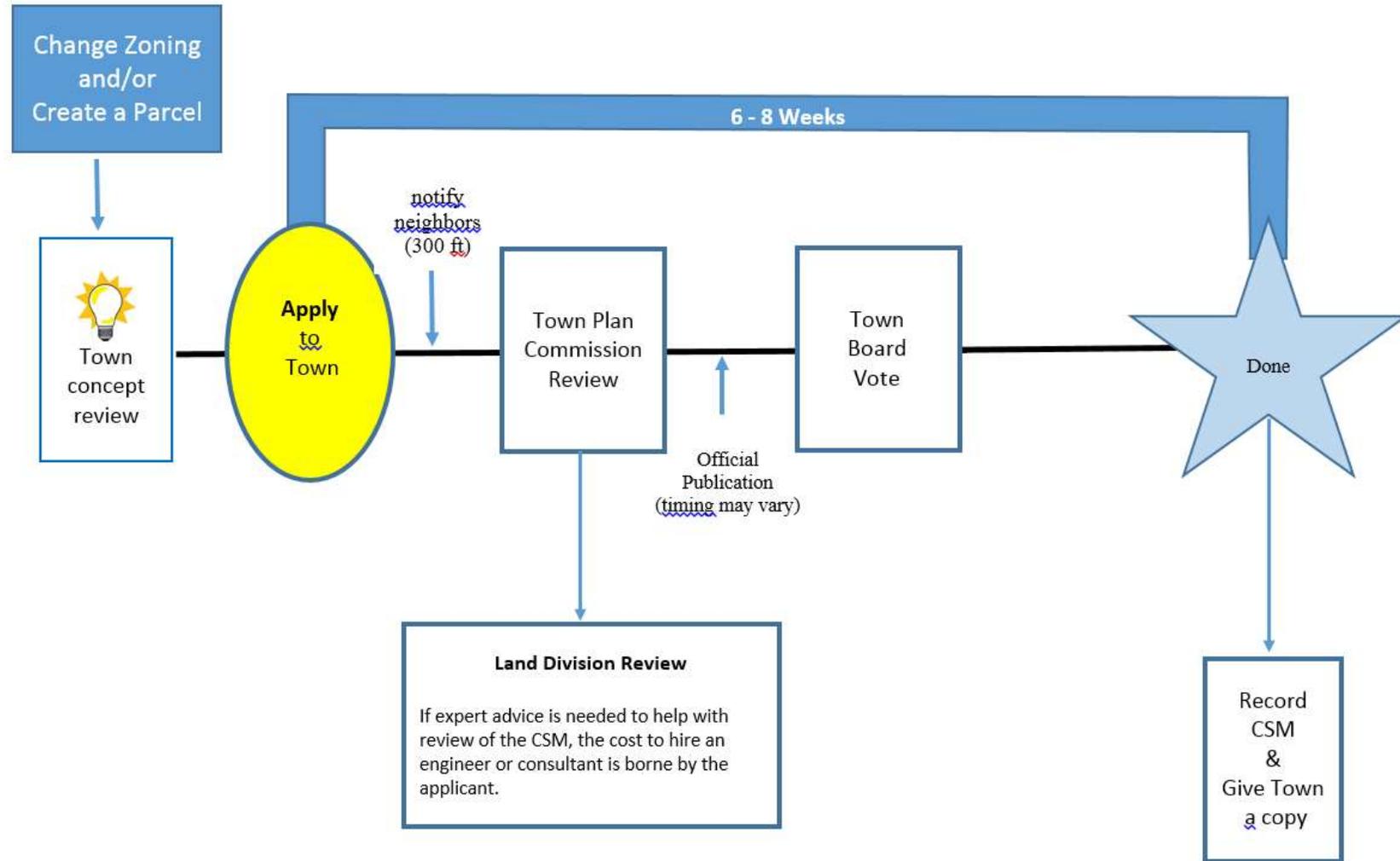
Recall that where there
now are two layers of
review, there will be
one

Before



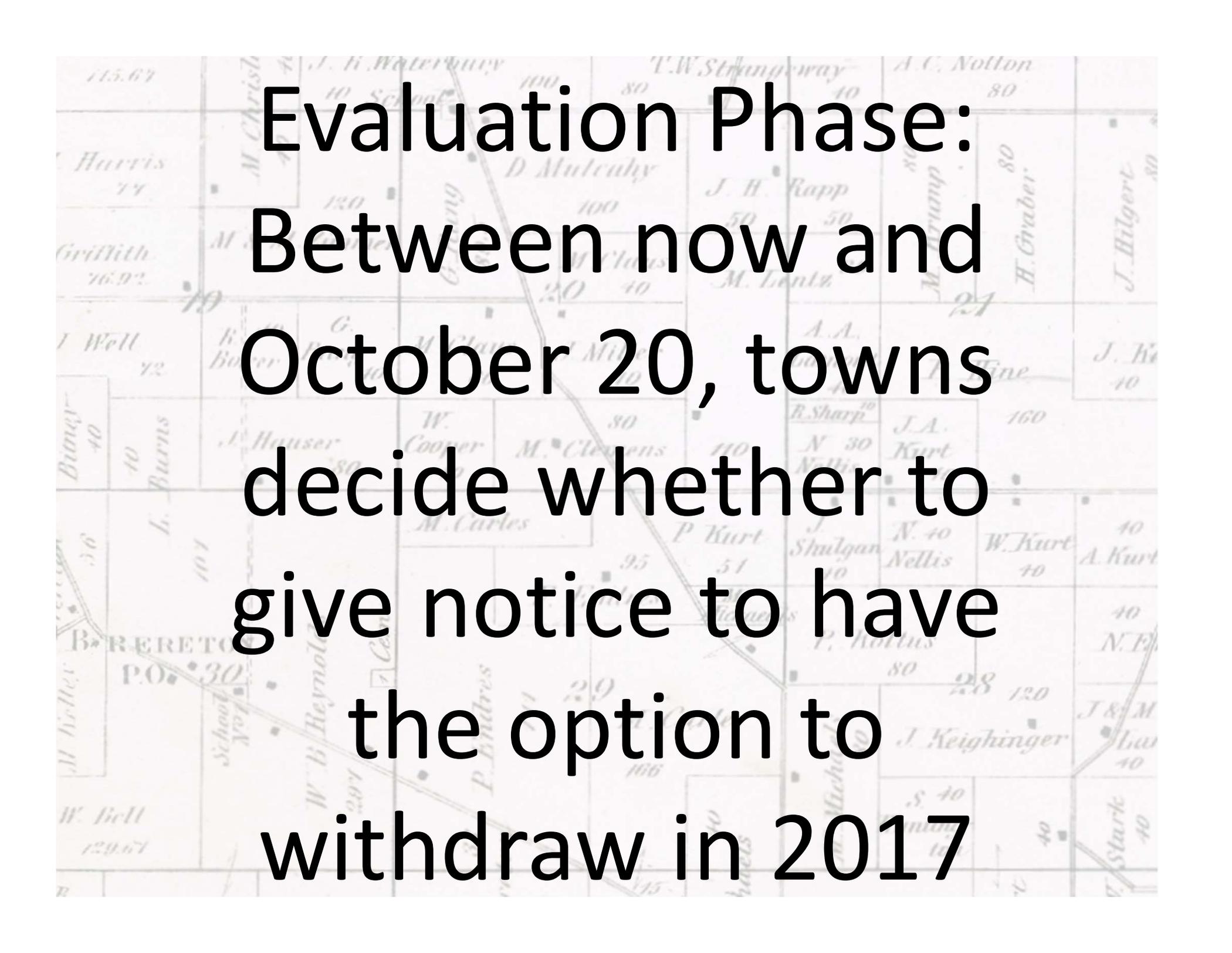
After

Example of Rezone/Land Division Process Developing or Dividing off a Parcel





No more drives
downtown either

The background is a faded, historical-style map or land survey document. It features a grid of lines and various handwritten or printed names and numbers. Some names include 'Harris', 'Griffith', 'Well', 'Burns', 'Heuser', 'Cooper', 'Clevens', 'Kurt', 'Nellis', 'Keighinger', and 'Stark'. Numbers like '115.67', '74', '76.92', '72', '40', '100', '80', '160', '30', '28', '120', and '40' are scattered throughout. The text is centered and overlaid on this background.

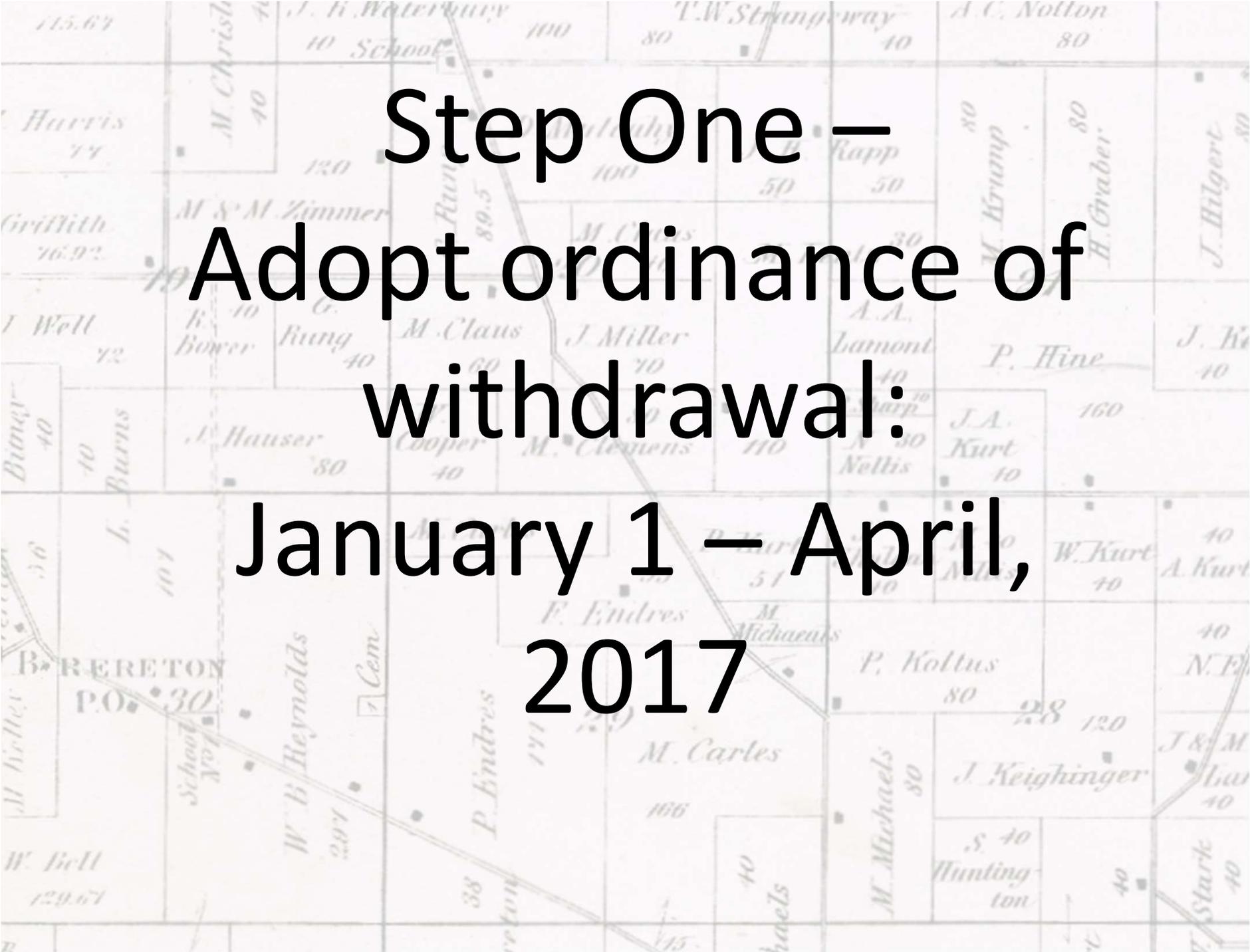
**Evaluation Phase:
Between now and
October 20, towns
decide whether to
give notice to have
the option to
withdraw in 2017**

Towns which give
notice in 2016 are not
required to actually
withdraw.

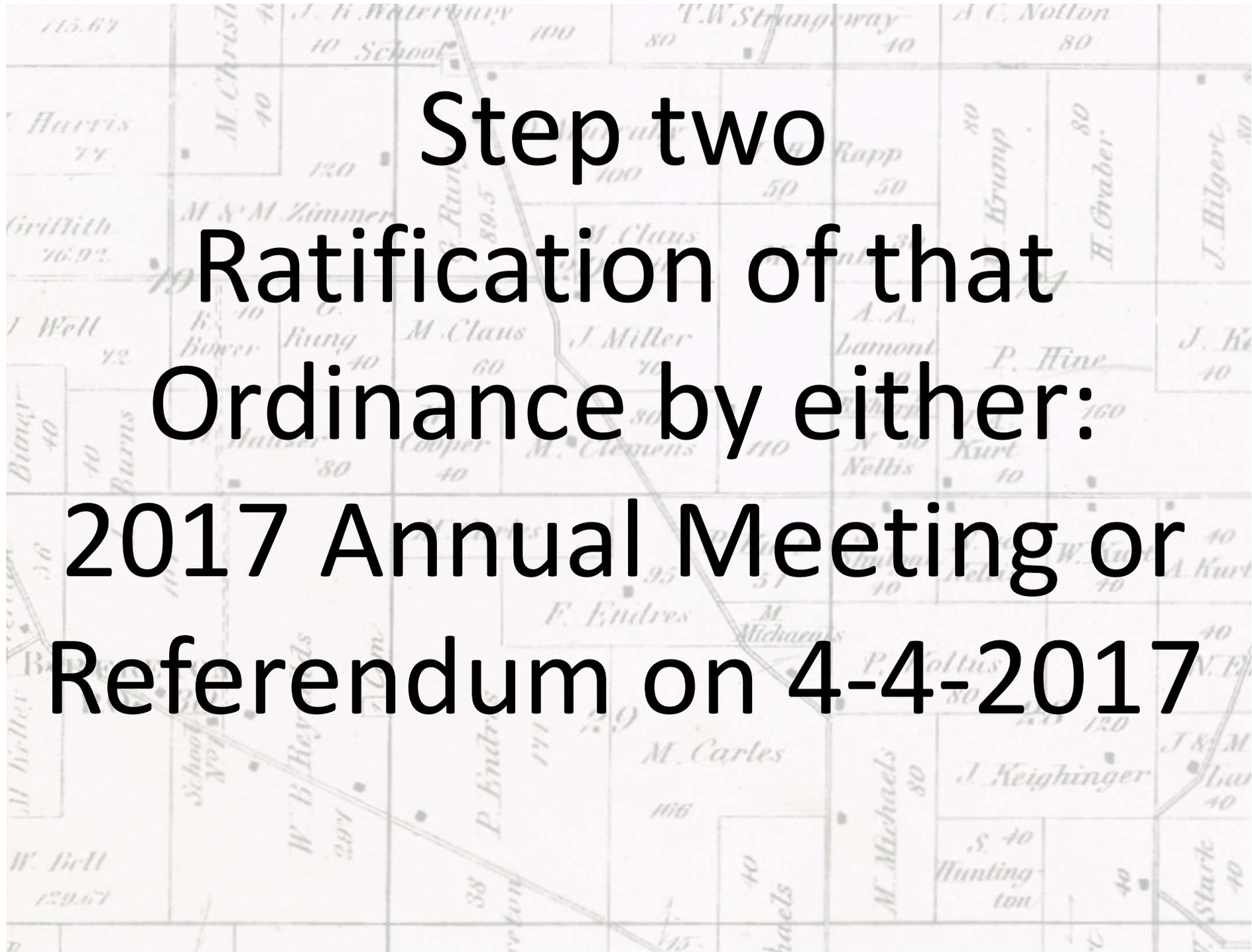


Implementation -

January 1, 2017 to
January 1, 2018



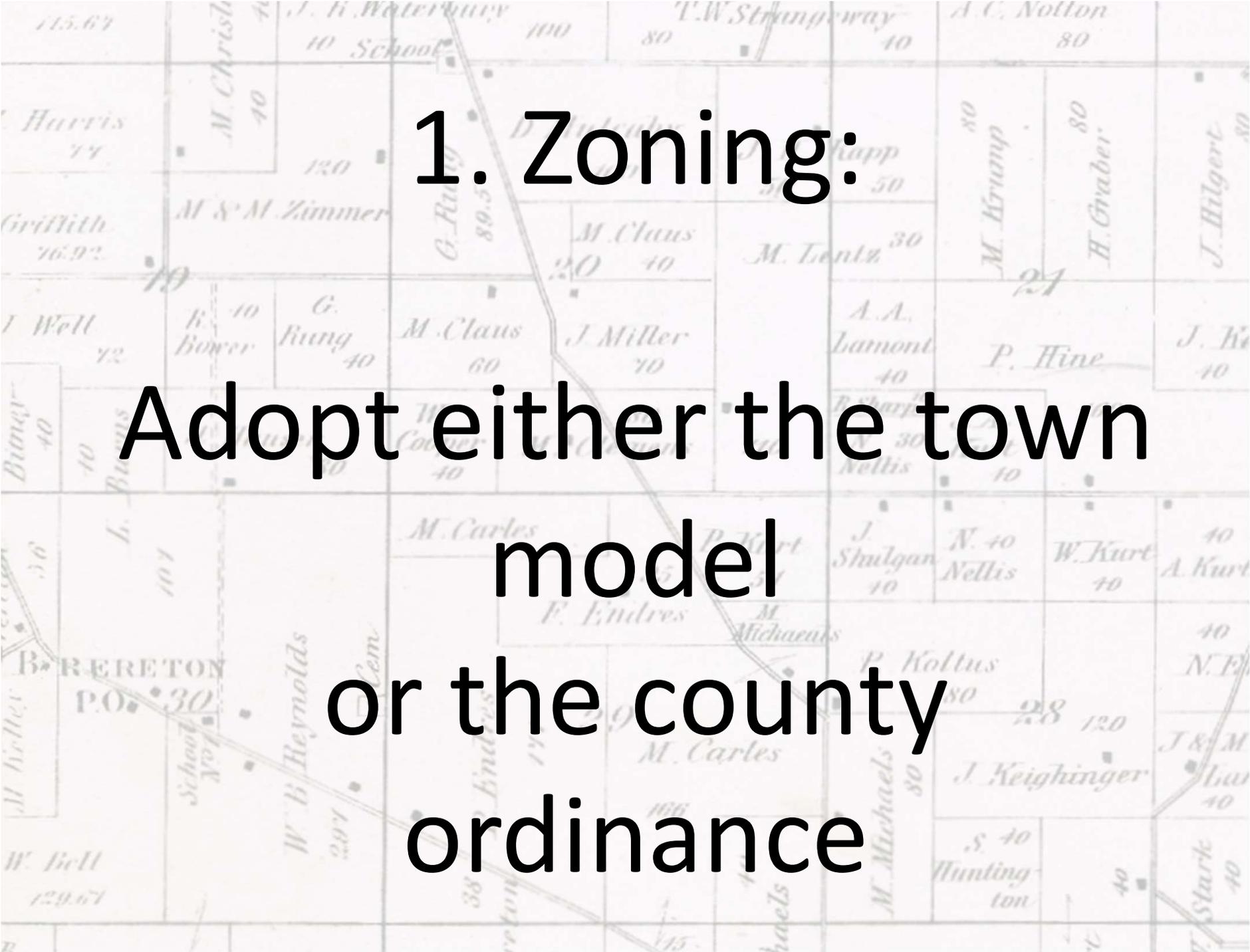
**Step One –
Adopt ordinance of
withdrawal:
January 1 – April,
2017**



Step two
Ratification of that
Ordinance by either:
2017 Annual Meeting or
Referendum on 4-4-2017

A faded historical land deed map showing a grid of land parcels. Each parcel is labeled with a name and a number representing acreage. Names include J. H. Waterbury, T. W. Strangeway, A. C. Notton, M. Christ, D. Mulcahy, J. H. Rapp, M. Claus, M. Tenta, M. Krump, H. Graber, J. Hilgert, J. Ke, P. Hine, J. Kurt, A. Kurt, N. F., J & M, and Starke. Numbers range from 10 to 166. A road or path is visible on the left side, and a 'School' is marked in the lower left. The text 'B. RERETON P.O.' is also visible.

Step three
After ratification,
the town board
adopts 3 things:

A historical cadastral map of a rural area, likely from the 19th century. The map shows a grid of land parcels, each labeled with a name and a number. The names include J. H. Waterbury, T. W. Strangeway, A. C. Notton, M. Christ, M. Claus, M. Lentz, M. Krump, H. Graber, J. Hilgert, J. Miller, J. Ke, P. Hine, J. Kurt, A. Kurt, N. F., J. Keighinger, J. Stark, W. Bell, W. B. Reynolds, W. Kurt, N. Nellis, P. Koltus, J. Shulgan, M. Michaels, P. Koltus, J. Keighinger, J. Stark, W. Bell, W. B. Reynolds, W. Kurt, N. Nellis, P. Koltus, J. Shulgan, M. Michaels, P. Koltus, J. Keighinger, J. Stark. The numbers are often 40, 60, 80, 100, 120, 140, 160, 180, 200, 220, 240, 260, 280, 300, 320, 340, 360, 380, 400, 420, 440, 460, 480, 500, 520, 540, 560, 580, 600, 620, 640, 660, 680, 700, 720, 740, 760, 780, 800, 820, 840, 860, 880, 900, 920, 940, 960, 980, 1000. The text is overlaid in the center of the map.

1. Zoning:

Adopt either the town
model
or the county
ordinance

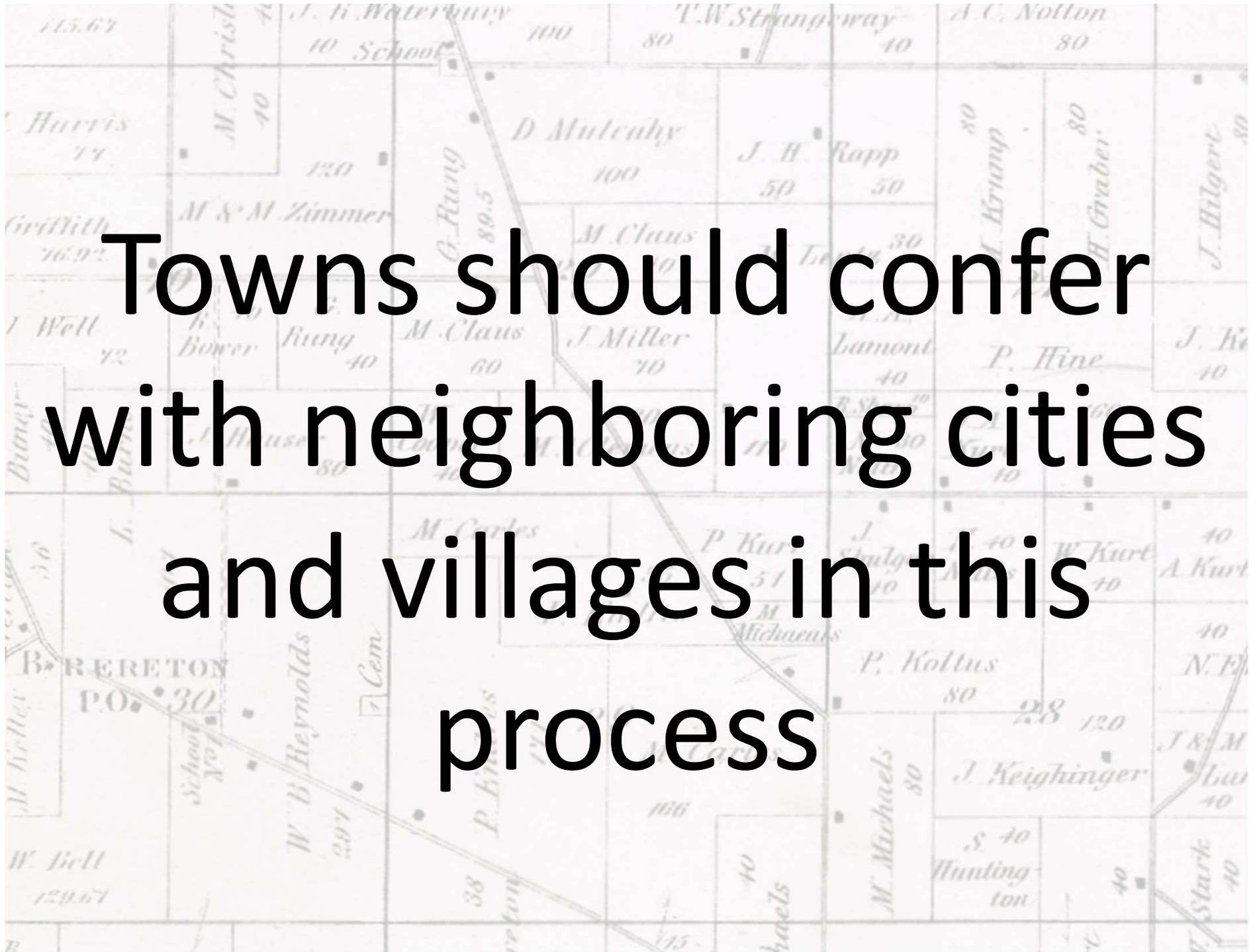
2. An official map – from the comp plan



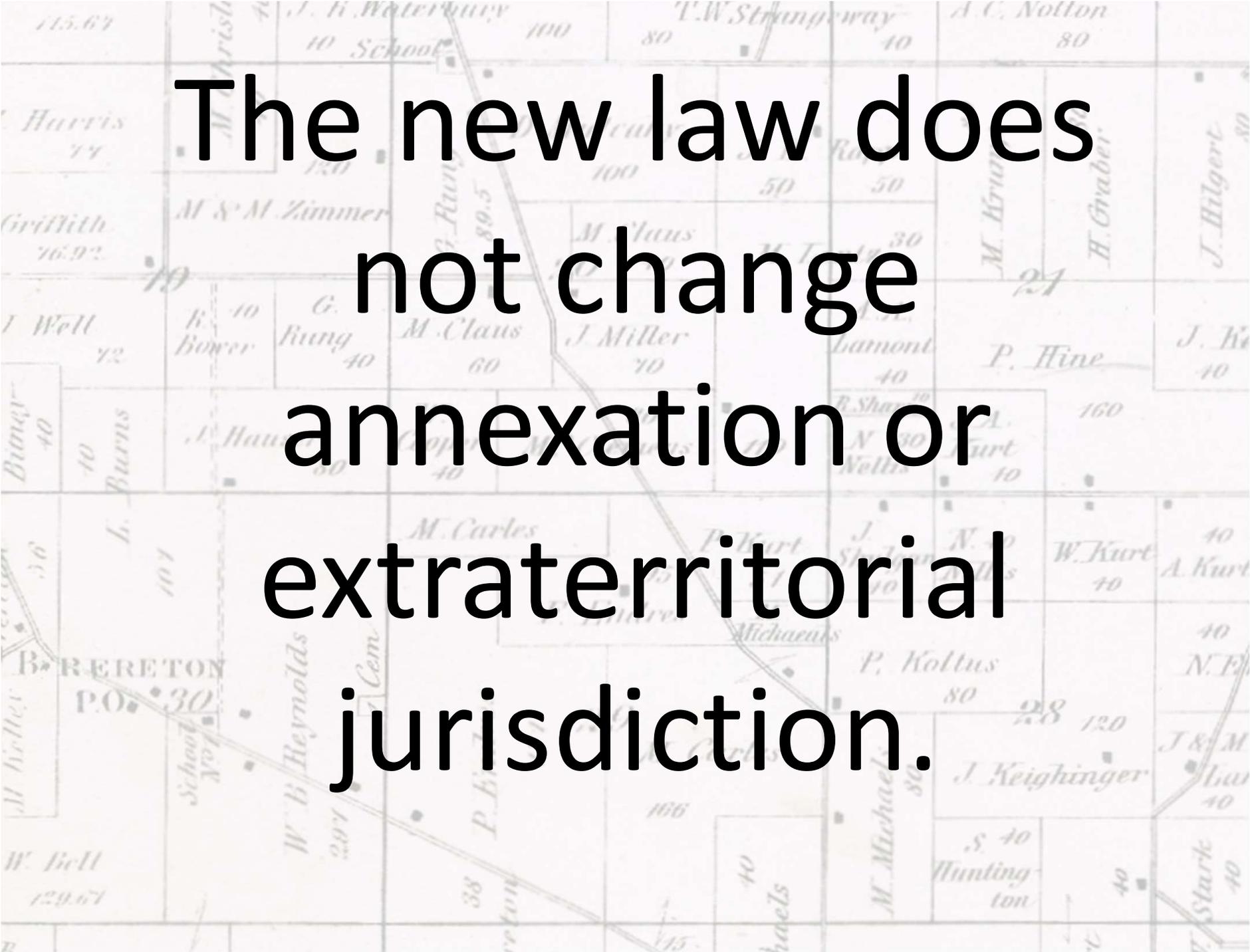
3. An updated or re-adopted comp plan

Comprehensive Plan
Town of Middleton, Wisconsin

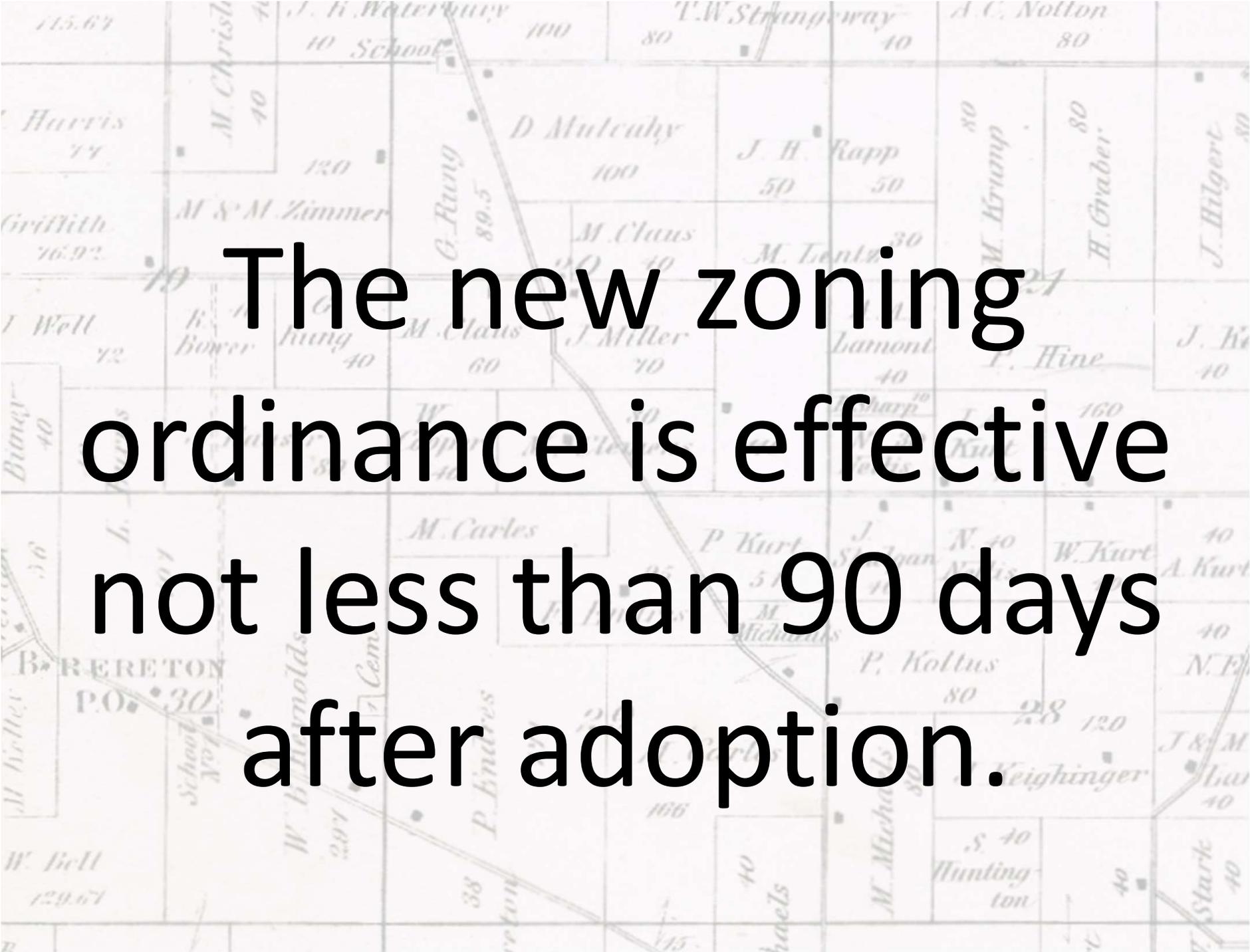




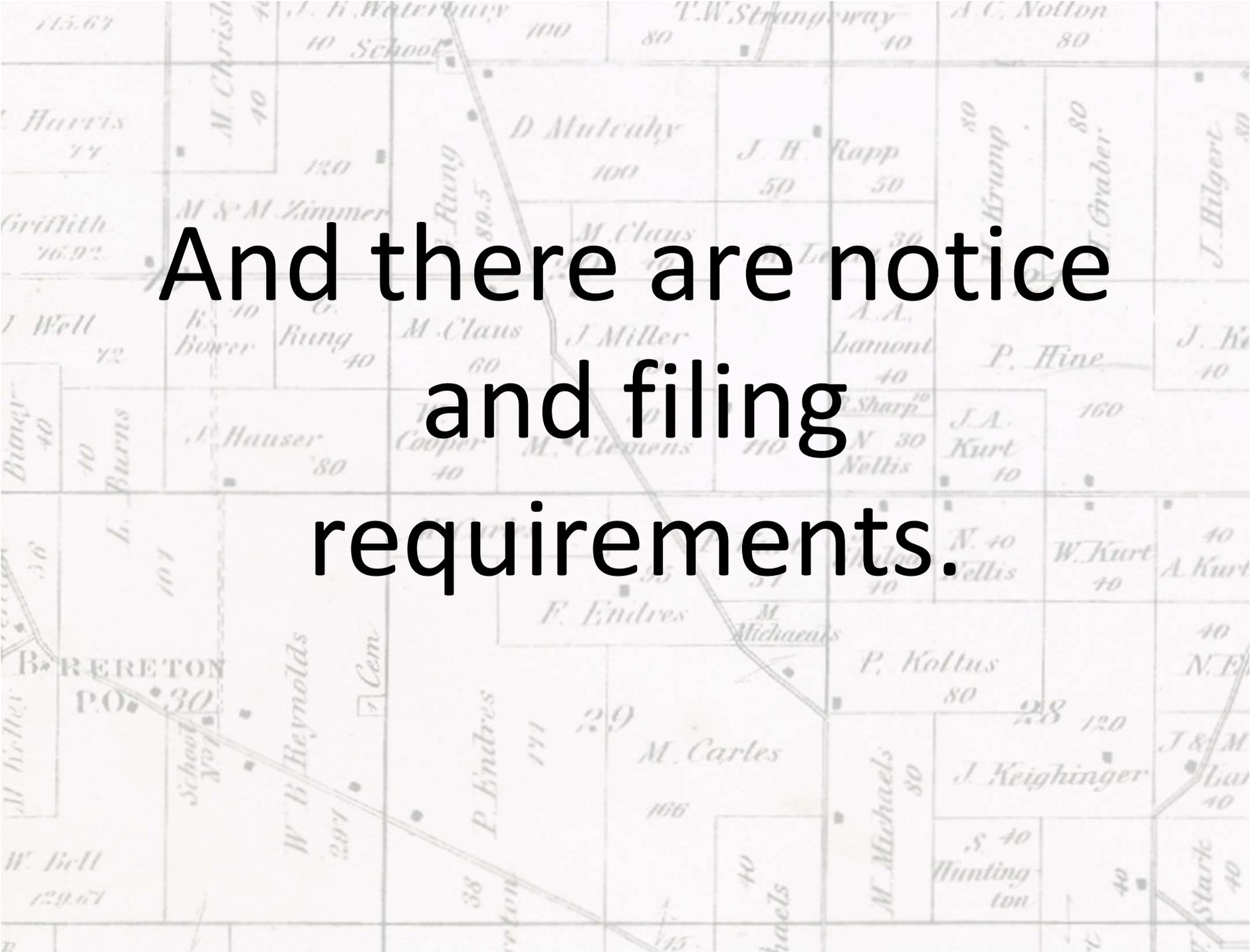
**Towns should confer
with neighboring cities
and villages in this
process**



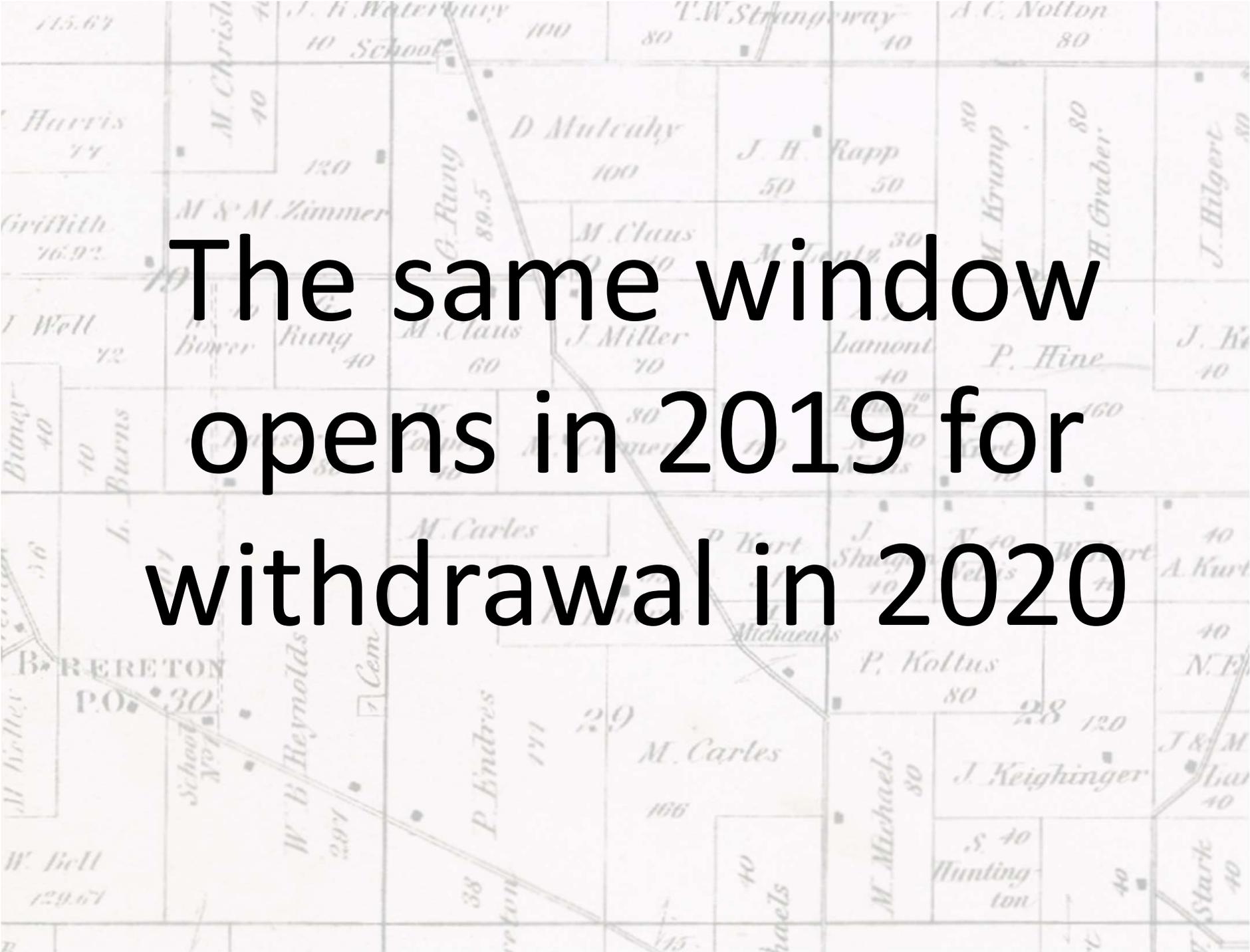
The new law does
not change
annexation or
extraterritorial
jurisdiction.



The new zoning ordinance is effective not less than 90 days after adoption.

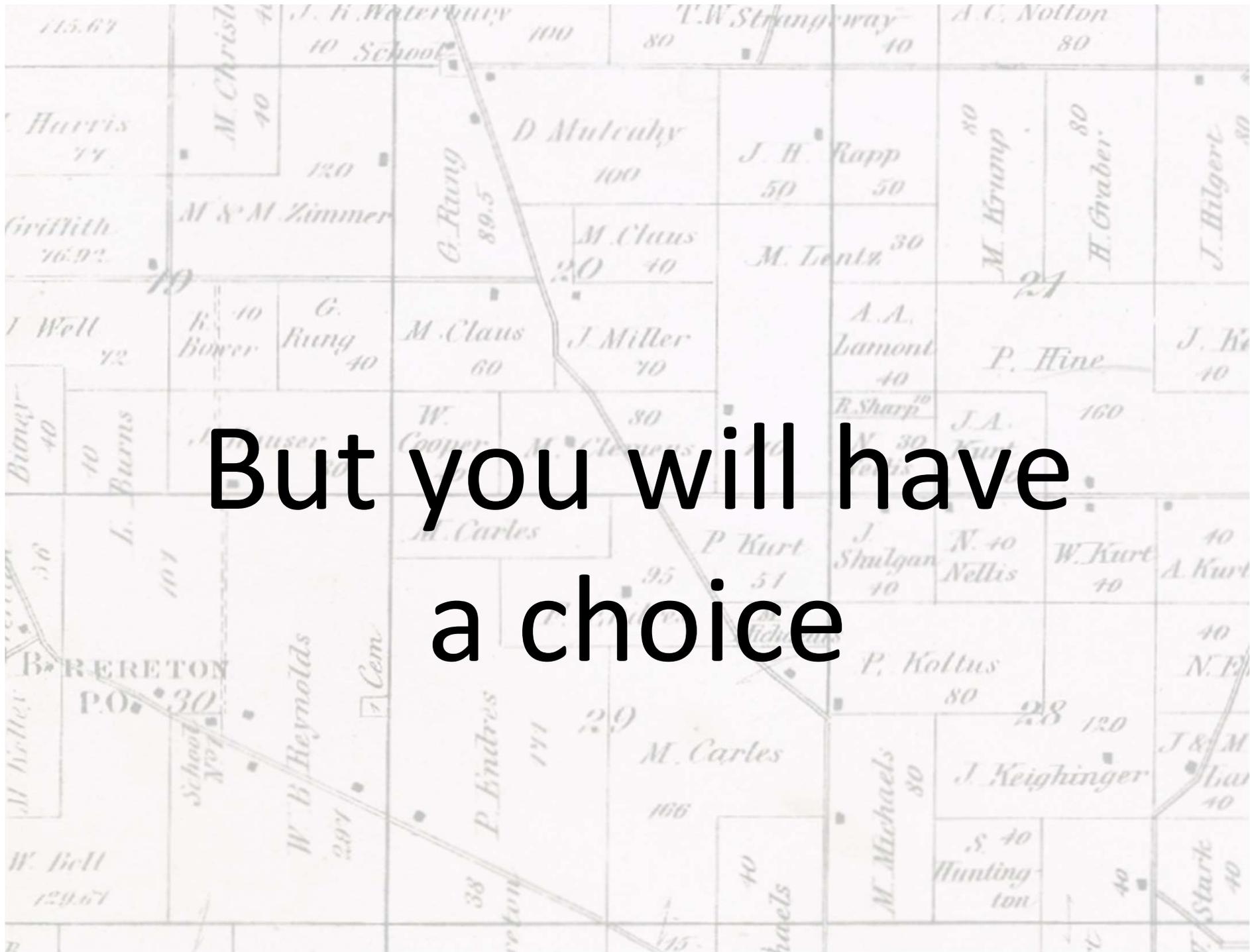


And there are notice
and filing
requirements.



The same window
opens in 2019 for
withdrawal in 2020

The choice will be
challenging.



But you will have
a choice