

Sauk County Planning, Zoning and Land Records Committee Meeting  
March 3, 2011

Committee Members Present: Lehman, Ashford, Gaalswyk, Halfen, Nobs

Committee Members Absent: None.

Others Present: Mark Steward, Gina Templin, Brian Simmert, Alene Kleczek-Bolin, Steve Pate, local Town Board members and other interested parties.

Chair Lehman called the meeting to order at approximately 7:05 p.m. and compliance with the open meeting law was certified.

Motion by Halfen, seconded by Ashford to adopt the agenda as provided. **Motion carried 5-0.**

**Public Comment:** None. (Public comment and questions will be allowed during the presentation as well, group discussion.)

**Communications:** None to report.

**Program: Density Policy**

Simmert appeared and presented the program updates, history of the changes and the density policy proposed by the department. He used the example of 84 total acres, using the 1 per 20 ratio would give you 4 acres or 4 lots.  $84/21 = 4$ . Which would give the property owner 1, 4 acre lot, or 2, 2 acre lots, or 4 1 acre lots, etc.

Questions: what is the definition of a farm. Simmert explained the state's definition of a farm and spoke of discussing the issue with the state in reference to a farm being contiguous parcels.

Simmert then review the ratio worksheet/table.

Question – 1 lot – does it include the house that is existing on the base tract. Simmert – calculation is basing off of no residential units on the existing base farm tract.

Question – use the ratio at 52 total acres. Simmert calculated out and provided the scenario at house the lot size would work with the minimum lot size being 1.65 acres.

Question – where does the 1.65 minimum lot size come from. Simmert stated that is the County's minimum lot size. Question – does that allow towns to adopt their own minimum lot size. Simmert stated that is possible.

Simmert stated up to 140 acres we are maintaining the 35 acres, but maintaining the 1 per 20 ratio. He spoke of Franklin using the 1 to 20 ratio would end up with 849 unit that could be built. Under the current standard, they would be allowed 659 units, under the proposed density policy it is around 600 units.

Question – 105 acres and the county has a 1.65 acre minimum, can the town go with a minimum of 1 acre. Simmert stated if there is a number of towns that want a lesser acreage as the minimum it could be written into the ordinance.

Ashford verified that the Exclusive Ag towns are the only ones this applies to. Simmert confirmed, although the RC35 towns could research.

Question – could the minimum lot size be larger. Simmert stated it could be worked in the ordinance, but if you go larger you are potentially limited the numbers of units allowed. He confirmed that towns can be more restrictive than the county.

Question – difference between the larger lots and smaller lots. Simmert stated that some towns have asked for the larger lots to be an option.

Gaalswyk asked why the division is by 21 with the 1:20 ratio.

Steward spoke of the hurdle to overcome with getting DATCP approval and that the county has the approval for this method.

Question –if land is sold off is there a new base tract for the new owner. Simmert explained how it is defined right now by the State. He spoke of the sale of land being an issue due to who gets the development rights/credits per tract. Discussion followed on the tracking abilities.

Question – do lots need to be clustered? Simmert stated they do not need to be clustered.

Question- spoke about limiting or allowing subdivisions. Simmert described.

Question – are 4 lots considered a subdivision. Simmert stated that county ordinances do state that 4 lots are considered a subdivision and that would be something the county needs to research and update to be consistent.

Question – how are farms considered if one person has ownership in 4 separate farms, but there is a common ownership. Simmert stated

Steward read the definition of a base farm tract and what the definition of a farm is. So one common owner could tie up multiple farms. Discussion of defining common ownership, as it is not defined in state stats.

Question – does it matter if you have 100 acres of woodland or 100 acres of farmland. Simmert explained it is the same no matter what its use.

Gaalswyk asked about the process and a change that is better suited to the Exclusive Ag towns than what the state law would be. He asked about the next steps in the process, such as an ordinance, a public hearing and passed by committee and county board prior to it being policy. Simmert confirmed.

Question – do the towns get to vote on the ordinance changes. Simmert explained if over 50% of towns oppose an ordinance change, then it doesn't pass.

Question – if it is mandated by the state, what is the alternative. Simmert stated, you would go with the 1:20 ratio by the state, no longer use the PUD program, where you rezone land and do spot zoning or remove your town from Exclusive Ag.

Question – minimum lot size of 1.65 acres and how/why that was set. Simmert explained it was 35 divided by 21 = 1.65 acre.

Simmert spoke of standardizing the density policy throughout the towns.

Simmert asked if the Town's would be willing to support the planning and zoning office taking this policy forward to replace what is existing now. Most exclusive Ag towns would support it. No one spoke up in opposition.

Simmert then asked about standardizing the density policy.

Gaalswyk spoke of the need to track when land is transferred and if towns have a different policy then the tracking becomes more complicated. Simmert stated that is correct. Steward explained though that all you are tracking is the 4 residences and who gets the nonfarm residence lots.

Question – lot size needing to be tracked. Steward explained.

Simmert also spoke of tying into the PUD program assisting in the tracking if property is split.

Question – what happens with the ET area and the conversion fee. Simmert stated that you can't use this density policy and the PUD program in the ET area because they are not under county zoning.

Lehman then provided an update on the Working Lands Initiative and the proposed state budget. He stated that the tax credit money should be maintained, the conversion fee will be eliminated and the \$12 million in bonding authority for purchase of development rights will be eliminated and the purchase of development rights program will be eliminated. He did state that Planning grants have been reduced, but not eliminated. He did have questions in an Ag enterprise zone and if there will be tax credit money there.

Steward followed up.

Ashford asked if the entire working lands program is being eliminated. Steward stated currently only the conversion fee when you rezone a property and PACE program part of working lands is eliminated.

Next meeting is scheduled for March 10, 2011.

Motion by Lehman, seconded by Ashford to adjourn.

Respectfully submitted,

Joel Gaalswyk, Secretary

