

Dane County Board of Supervisors Committee of the Whole

Transfer of Development Rights
Thursday, March 9, 2006

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Dane County Planning & Development

Planning in Dane County:

1982 Dane County Farmland Preservation Plan

- Components:

1. General county guidelines
 2. Detailed town land use plans
 3. Links to county ordinance
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Planning & Zoning in Dane County:

Link to county/town plans.

“The zoning committee shall use plans and maps developed by individual towns and approved by the county board as criteria for zoning recommendations to the county board.”

[S. 10.255(1)(c), Dane County Code]

Town of Christiana Comprehensive Plan*

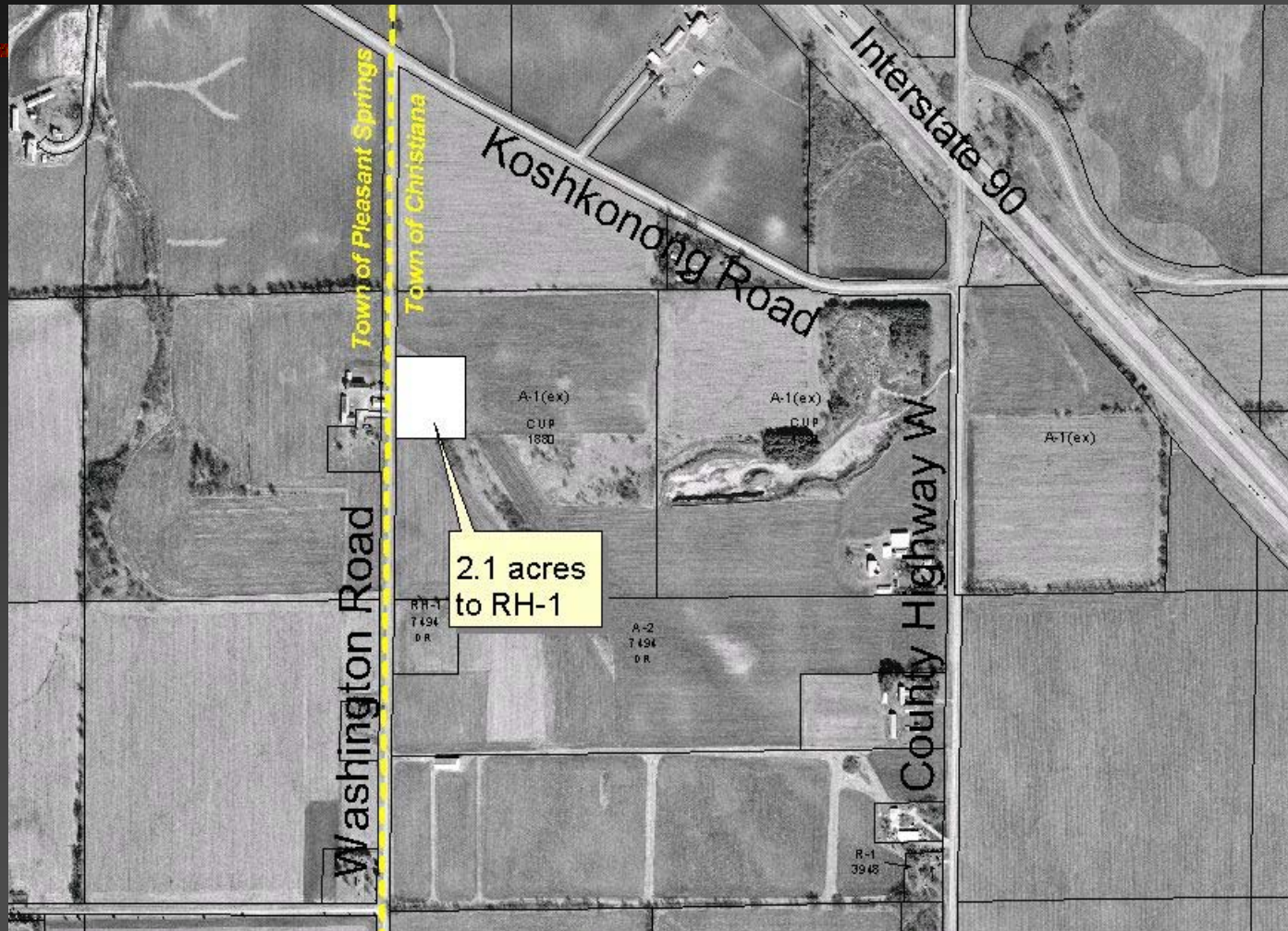
Density Policy

- *“The density of non-farm development is limited to one lot or non-farm use per 35 contiguous acres held in single ownership as of May 3, 1979.”*

* Adopted by the Dane County Board as part of the *Dane County Farmland Preservation Plan*

Actual Example

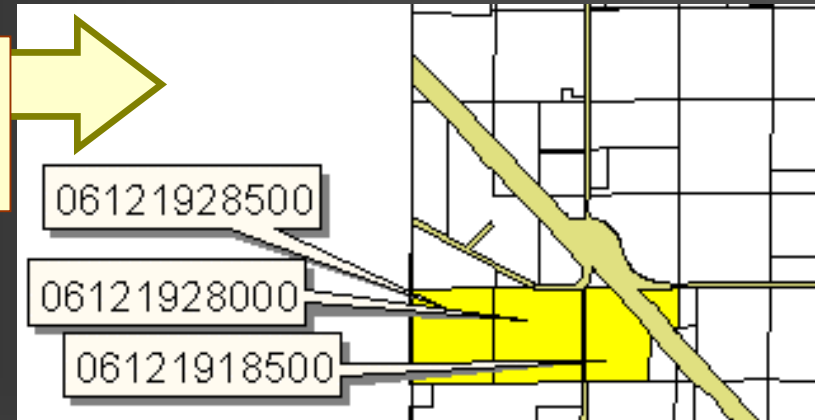
Initial Rezone Request



Rezone Petition 8158: Town of Christiana

Actual Example: Density Study Report

Step 1: Determine original farm
in 1979 (101.8 acres)



Step 2: Divide by 35
($101.8 / 35 = 2.9 = 2$ splits);

Step 3: Subtract lots
created to date (0)

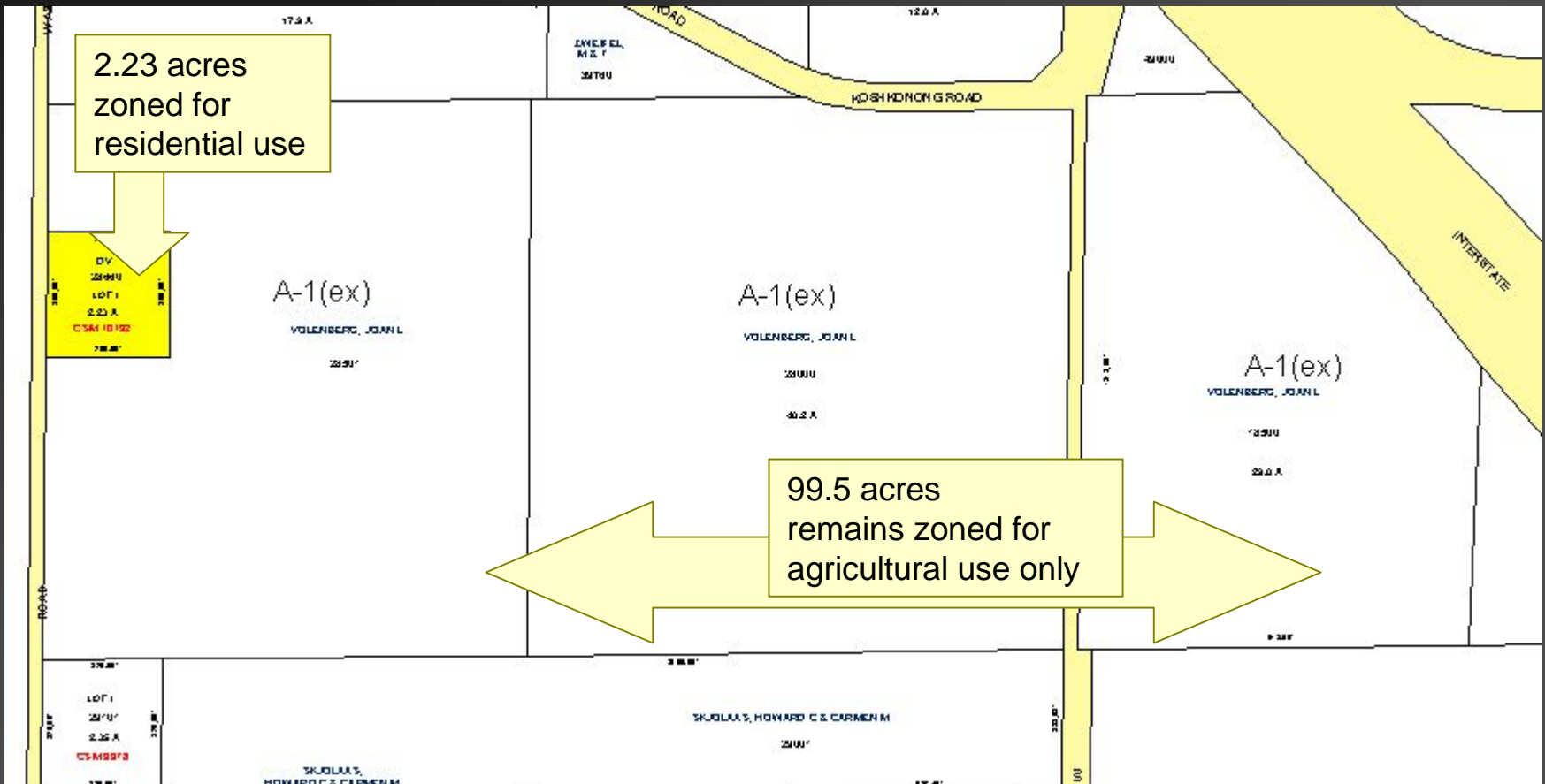
Record Number: 8158
Applicant: Richard Volenberg
Town: Christiana
Section: 19
Date of Twn Adp: 7/19/79
Previous density study: NO
Total acres in original farm: 101.8
Original Farm: Richard Volenberg

Reason for Review: Create residential parcel for farm owners son.

Split summary: 101.8/35= 2.9085 splits
 Number of previous splits: NONE

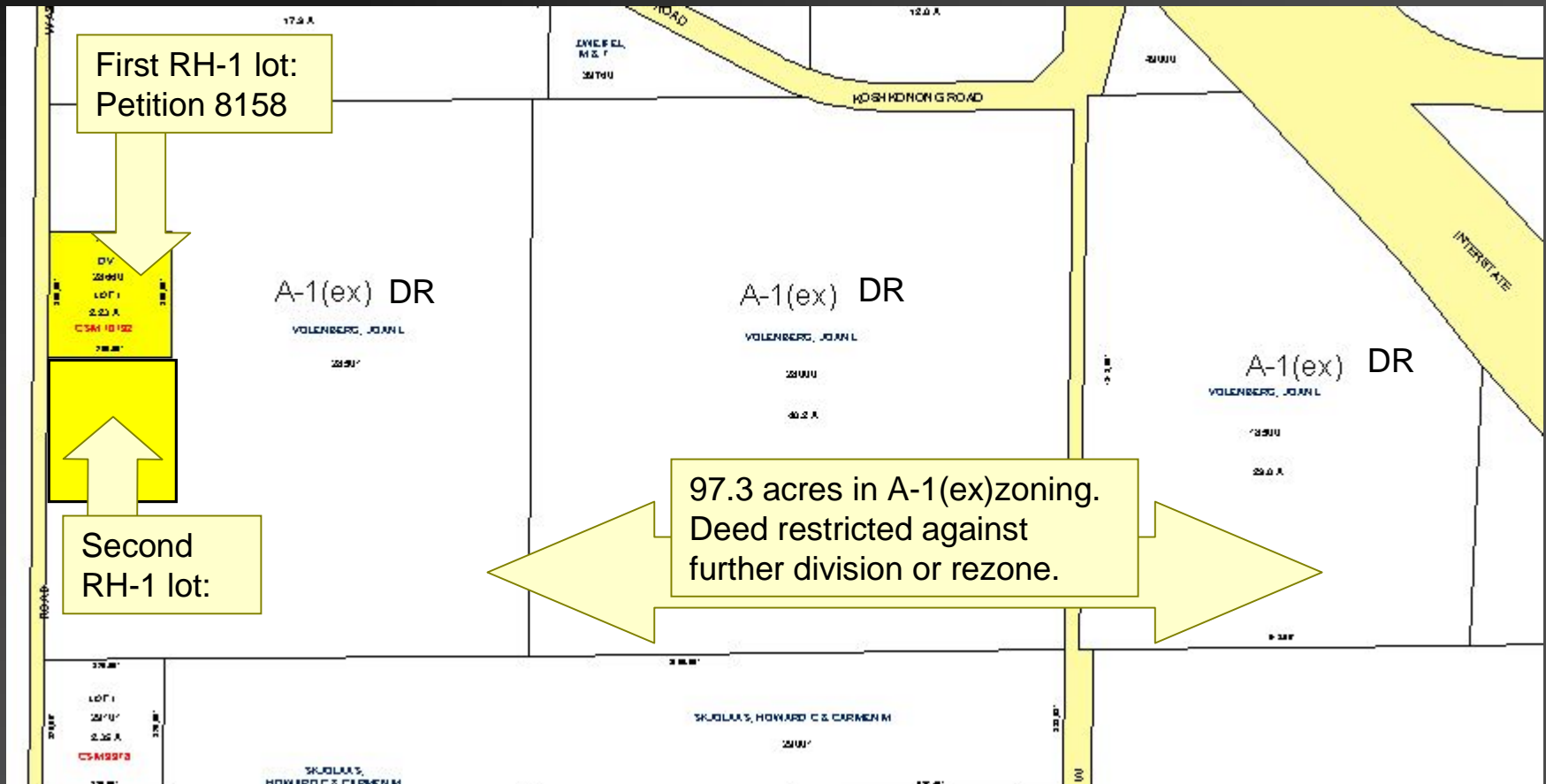
Parcel #	Acres	How Determined	Description	Owner
192 - 8000	38.7	GIS	A-1EX	VOLENBERG, RICHARD A & JOAN L
192 - 8500	35.0	GIS	A-1EX	VOLENBERG, RICHARD A & JOAN L
191 - 8500	28.1	GIS	A-1EX	VOLENBERG, RICHARD A & JOAN L

Actual Example: Rezone & CSM Complete

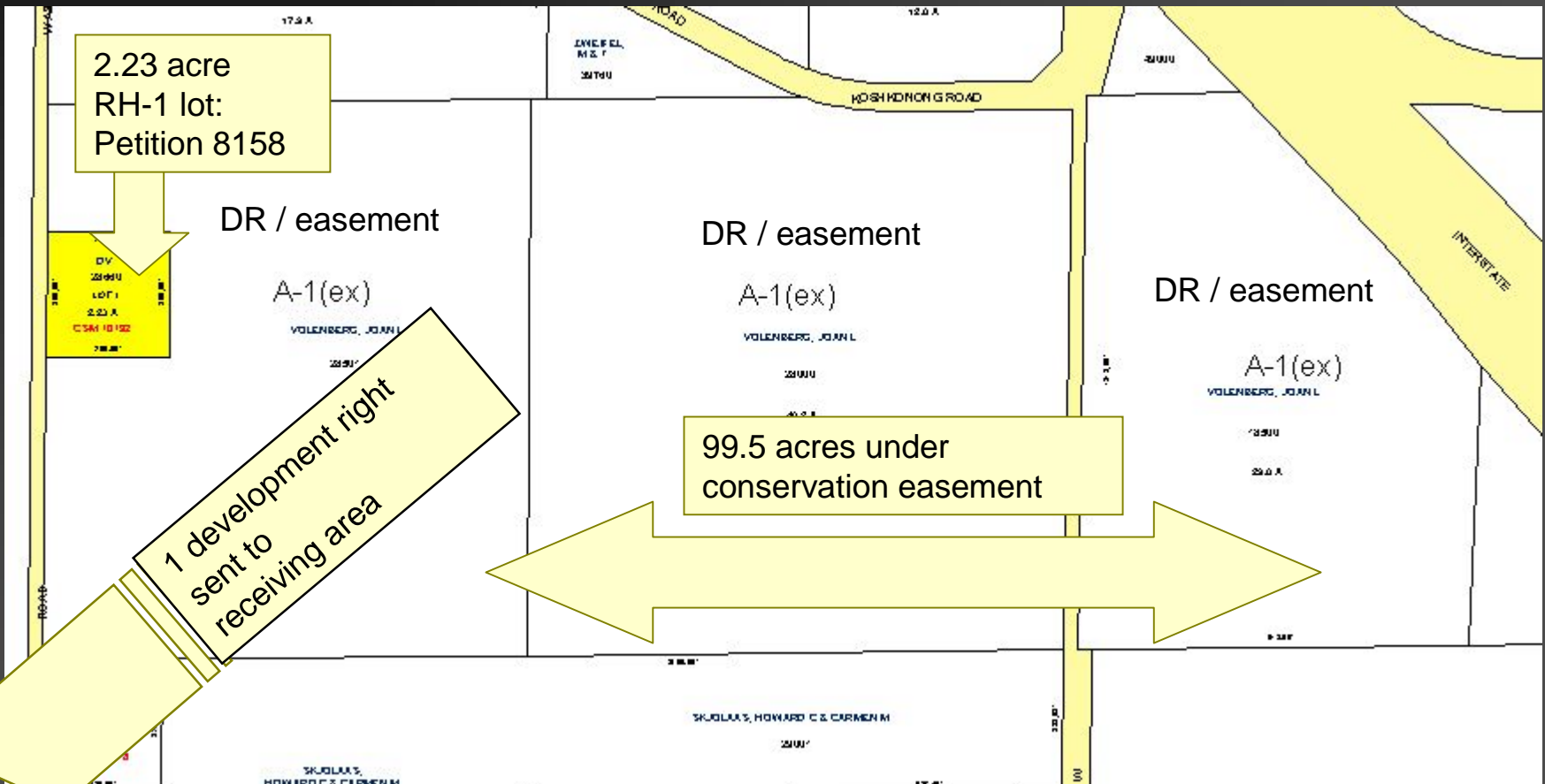


Rezone Petition 8158: Town of Christiana

Hypothetical Example: Last Split



Hypothetical Example: Transfer of Development Rights



Ord. Amend. 26 (2005-2006)

Would amend County Zoning Ordinance (*Ch. 10, D.C.C.*)

- Establishes policies for TDR conservation easements.
 - Creates TDR-S (sending area) & TDR-R (receiving area) overlay zoning districts.
 - Towns can choose whether or not to adopt, how to implement.
 - Requires consistency with adopted town/county plans.
 - County tracks, administers TDRs through zoning permits.
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1) TDR-S Overlay District

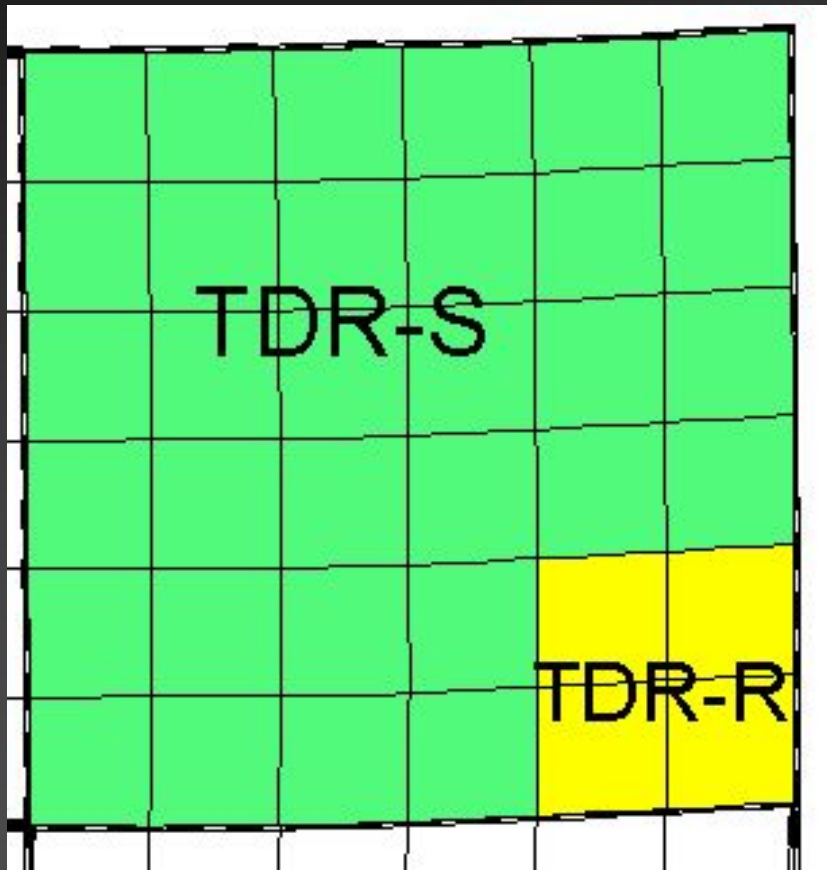
- a) Applies to A-1(ex) or CO-1 zoning districts only;
 - b) Towns must “opt-in” by resolution, as with A-1(ex)
 - c) Does not limit uses in underlying zoning districts;
 - d) Adds permitted use for TDR, with easement
 - e) Transfers must comply with town/county plans
 - f) Receiving areas may be in town, city or village
 - g) DRs may also be extinguished (PDR)
 - h) TDR-S parcels w/o easement could be rezoned
 - i) A-1(ex) (TDR-S) eligible for tax credits
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2) TDR-R Overlay District

- a) Applies to all districts allowing residential ≥ 1 unit / 2 acres
 - b) Towns must “opt-in” by resolution
 - c) Within city/village ETJ requires intergov. agreement.
 - d) Any increase in density requires TDR from TDR-S district
 - e) TDRs must have deed notice to track.
 - f) TDRs must comply with town/county plans.
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TDR Implementation Options

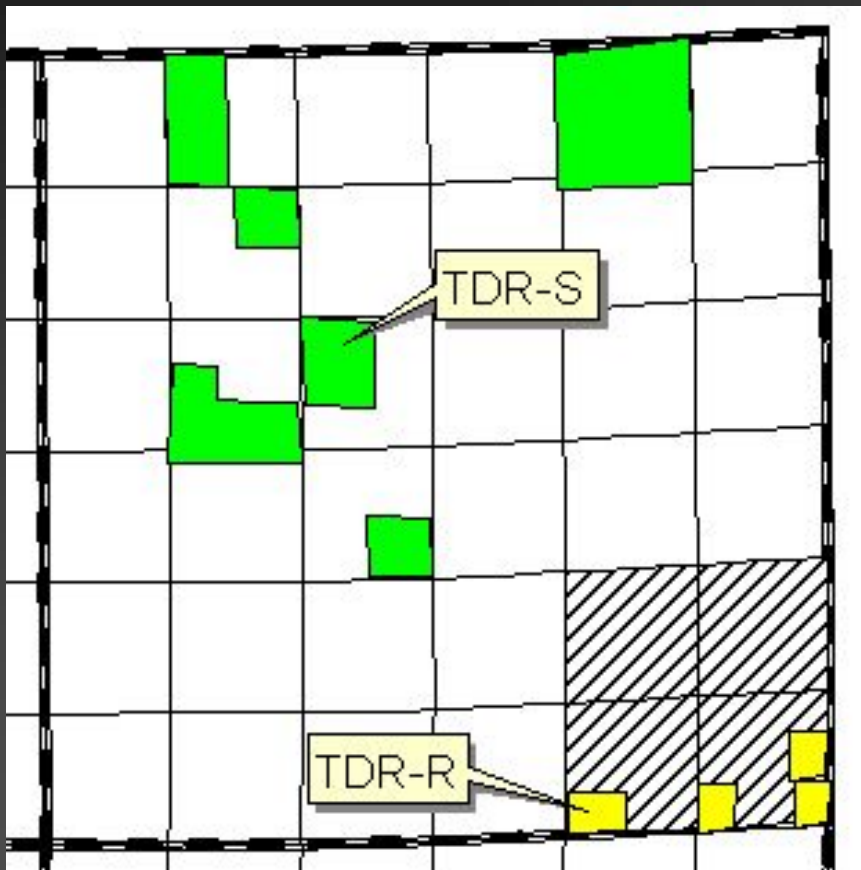
“Blanket” rezone



- Town could plan, map and rezone areas to TDR-S & TDR-R districts all at once.
- Overlay districts zoned before development occurs.
- Similar to way A-1(ex) was adopted.

TDR Implementation Options

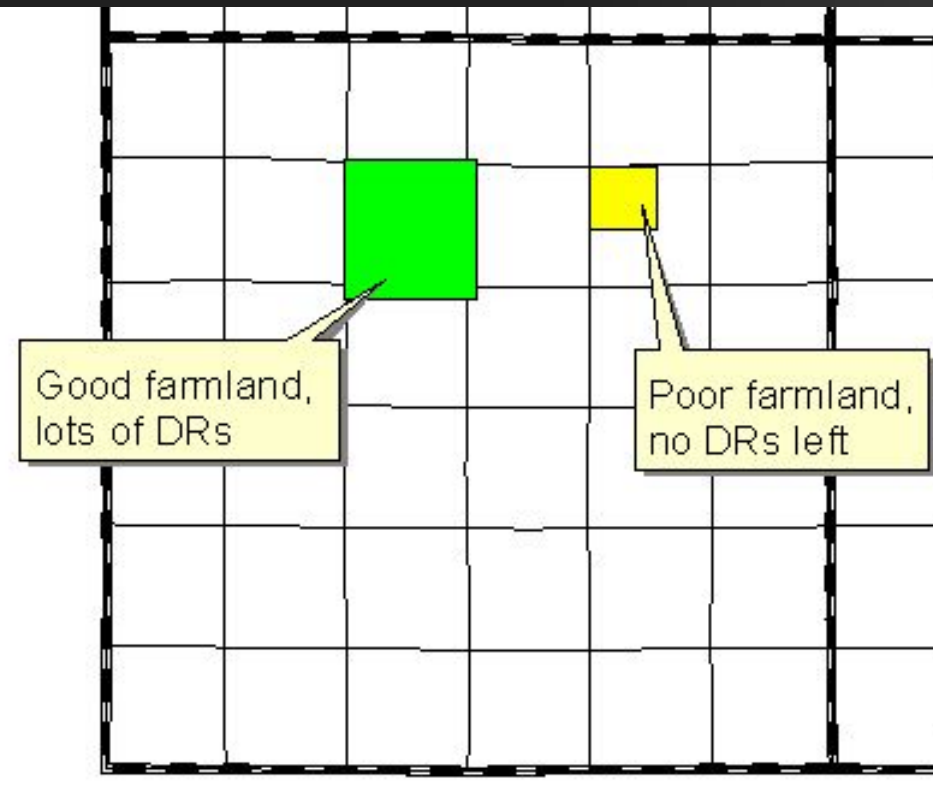
Petition by petition



- Towns could adopt text policies guiding rezones to TDR-S & TDR-R.
- Overlay districts zoned as development occurs.
- Similar to way rezones from A-1(ex) are handled.

TDR Implementation Options

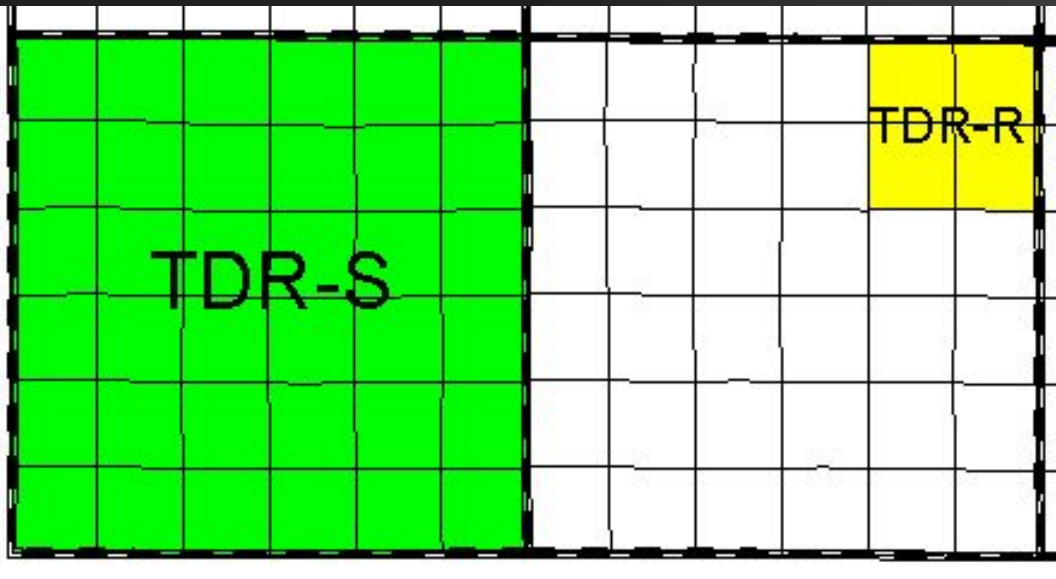
Protecting productive farmland



- Town could develop policies (LESA, etc) to discourage development on productive ag lands.
- Help redirect development to more suitable sites.
- Provides opportunity to “share the wealth.”

TDR Implementation Options

Inter-town TDR



- With appropriate planning, two or more towns could cooperate.
- One town could serve as sending area, another could serve as receiving area.

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