

September 9, 2011

Alison Volk  
Farmland Preservation Program  
2811 Agriculture Drive  
PO Box 8911  
Madison, WI 53709-8911

Dear Ms. Volk:

Enclosed please find the revised Jefferson County zoning ordinance amendments for DATCP certification. You will find that the revised plan text and maps address all of the requests and requirements of your letter of August 30, 2011.

The following are our responses to the specific issues identified in your August 30, 2011 letter:

Text

1. Page 2-3, the definition of Agriculture-Related: There are a number of uses added to this definition that are not found in the statute. Some of the uses listed are in fact identified as Agricultural Uses in the statute. Though a definition in the ordinance can be more restrictive than the statutory definition, the ordinance cannot expand the definition beyond the statutory definition. If the uses are listed under Agriculture-Related for the purpose of making these uses conditional in the district, a better option would be to remove them from the definition and list them separately as conditional uses.
  - *Changed definition of “Agriculture-Related Use” to meet statutory definition, with additional restrictions on allowable uses to match County desires. Also, certain of the formerly proposed “Agriculture-Related Uses” that are allowed as “Agricultural Uses” by statute are now proposed as new conditional uses in the A-1 District (e.g., fur farm, commercial raising of fish)). We also more explicitly made events like farm tours as “conditional home occupations.”*
2. Page 14 and 19, the reference to s. 91.48(1)(a) should be s. 91.48(1).
  - *Corrected.*
3. Page 19, Permitted Principal Uses: Under b, any necessary non-residential buildings should meet the requirements of the “Accessory Use” definition under s. 91.01(1).
  - *Language added.*
4. Page 21, the new 11.05(b)7: Is this meant to apply to all districts? If not, the provision should specify that the restriction only applies in the certified districts. Depending on the solution to Comment #8 below, this provision may not be necessary to include in the ordinance.
  - *I think your reference should have been to Comment #6 instead of Comment #8. Addressed comment in manner that you suggested under Comment #6.*
5. Page 21, the new 11.05(c): Do subsections 2-5 apply to all districts and only subsection 1 applies to the A-1 district? *Yes.* If this is not a formatting error, it might be clearer to specify that the other provisions apply in all districts. *Attempted to clarify.* Also, subsections 1-5 must apply to the N district unless the use will not be allowed there. *Will not be allowed in N*

*per revisions. We appreciated your observation and suggestions.*

6. Page 33 (current ordinance), in 11.05(b): All of these uses must meet the requirements of the applicable subsection of s. 91.46 if the uses are to be allowed in the certified district. Alternatively, the ordinance could clarify here that only the conditional uses as listed in Sections 11.04(f)(6) and 11.04(f)(~~11~~)(12) are allowed in the corresponding certified districts.
  - *We took the alternative approach suggested in your final sentence. Note that section number for N Natural Resources district will change.*
7. Page 25, the Standards for Rexoning: sub. (k) should be deleted since the conversion fee requirement has been removed from ch. 91.
  - *Deleted.*

### Map

1. In the purpose section of the metadata, the text states that the map information is provided in support of a request for certification of the farmland preservation plan. This is incorrect and should be updated to refer to the zoning ordinance instead.
  - *Corrected.*
2. The attribute table in the Land Use layer contains data for both farmland preservation zoning and farmland preservation planning. It would be clearer if the attribute table only includes data concerning farmland preservation zoning, and also includes a field that indicates which zoning districts are intended for certification and which are not.
  - *Addressed.*

### Other Items Not Impacting Certification

1. Page 2, the definition of Agricultural Preservation and Land Use Plan: There is a typo in the definition. “If” should probably be “of.”
  - *Corrected. Thank you.*
2. Page 4, the definition of Home Occupation: In the second sentence, “met” should probably be “meet.”
  - *Corrected. Thank you.*

When you submit your next draft, please date the draft accordingly. Include the date in the text itself (front page or footer for example) and on the map. Also save the electronic files with the date of the draft included in the name.

- *Addressed.*

If you have any comments or questions regarding these responses identified above, please feel free to contact me. Otherwise, we look forward to DATCP’s certification of our zoning ordinance amendments and A-1 and N districts as soon as you are able.

Sincerely,

Rob Klotz

Jefferson County Director of Planning and Zoning