Planning & Zoning Committee Minutes
April 15, 2008

Present: Doug Richmond, Phil Baebler, Fred Teitgen, Tim O’Neil, John Healy

Staff: John Bluemke, Randy Thompson, Brian Zirbes

Also Present: Jon Steinhaus, John Miller, Jim Foley
Debra Wopat, Harlan Baumgartner

Meeting called to order at 1:05 pm.

John Bluemke updated the group on the status of the RFP for a consultant. He indicated that there had been no proposals submitted.

Fred Teitgen indicated that he had spoken with the consulting firm Vandewalle and that they might be willing to do a more scaled down project such as an audit of the existing ordinances and recommendations for changes to the ordinance.

John Bluemke asked the committee for direction on how to proceed. He suggested that the group move forward in making the changes to the agricultural zoning districts.

John Miller indicated that the changing of the agricultural districts is complicated and that if it is not done right could generate a lot of opposition. A consultant should be involved from the beginning not brought in at the end.

Fred Teitgen suggested that the consulting firm Vandewalle be brought in on a limited basis to assist with the development of the agricultural districts.

John Bluemke stated that the changing of the agricultural districts is needed now. He handed out a proposed outline indicating how the changes would fit into the zoning ordinance.

John Miller suggested that the group consider sending these proposed changes to the agricultural districts to a consultant such as Vandewalle for review.

John Bluemke stated that a consultant does not necessarily have to be part of the effort to change the agricultural districts. He suggested that the consultant be used for other parts of the ordinance.

Harlan Baumgartner stated that these meetings tend to discuss and review the same material over and over again. He suggested that the group assemble the proposed changes to the agricultural districts into a final draft and get a consulting firm to review it. While the consultant is reviewing one section the group can work on the next section. He stated that members of CPAC and the TSC be given an opportunity to provide input on the proposed changes. He indicated that the group needed to stop talking about the same issues over and over again – the group needs to get off first base.
Jon Steinhaus stated that the process is treading water and that the way the proposed changes are currently written they do not have a prayer. He indicated that he has a problem with the allowable building size for non-farmers.

John Bluemke stated that he needs someone to tell him what proposed changes he should distribute to the towns. He stated that decisions need to be made.

Randy Thompson indicated that the issues need to be identified. He stated that we need to be able to state why a choice was made. He suggested that we send out a new RFP to get outside input on the issues of disagreement. The following issues were identified by the group:

- Lot size requirement in the Exclusive Agriculture Zoning District.
- The lot coverage of buildings on existing farms
- Farm trailers
- Definition of a parcel and a lot
- Flag lots

John Miller asked about the definitions of parcel and lot and what was being accomplished through these definitions.

John Bluemke indicated that the definitions are part of the land division ordinance but have some implications for zoning as well.

Debra Wopat indicated that any lot size that is chosen is a starting point for the ordinance and is open for discussion.

John Bluemke indicated that the group should discuss and resolve the five points (identified above) at the next meeting. He stated that a consultant could be brought in if needed. John also indicated that an update to the County's Farmland Preservation Plan is needed in order for the state to certify the changes to the zoning ordinance. He indicated that the Farmland Preservation Plan would be backloaded to match the Comprehensive Plan. He further indicated that conducting an update is necessary to keep the county in the tax credit program.

Brian Zirbes added that Farmland Preservation Plan map and the County Zoning Map will need to be consistent in order for the State to certify the changes to the Agricultural Zoning District. He indicated that this could mean updating the zoning map for the county to be consistent with both the Farmland Preservation Plan and the Comprehensive Plan.

Debra Wopat asked if the changes to the Agricultural Zoning District could be certified by the state before the Farmland Preservation Plan is submitted to the state.

Brian Zirbes indicated that the state ideally would like the plan first then the ordinance changes, but that the state would take them together if necessary. He stated that the changes to the Agricultural Zoning District cannot be certified without a Farmland Preservation Plan update.
Debra Wopat stated that the proposed changes to the agricultural zoning districts should be sent to a consultant and the towns for review and comment. She further stated that it is confusing to people when the concept of needing 35 acres to build is mixed in with the concept of a 35 acre lot size.

Harlan Baumgartner indicated that density is density and that talking about a parcel size of 35 acres will confuse people. He stated that the density is 35 acres and that the size of a parcel when dividing land is a different subject.

Randy Thompson indicated that the group needs to spell out the pros and cons of each option before making a decision.

John Bluemke stated that animal units would be an issue on smaller parcels in the Agricultural Zoning District and should be added to the list of issues discussed by the group.

Fred Teitgen indicated that parcel fragmentation is an issue and that there are currently many lot of less than 35 acres that cause problems. He further stated that allowing small parcels creates a problem for future generations and raises the question of what rights should be granted to smaller parcels.

Jon Steinhaus stated that these are the same issues that were discussed five years ago and there is still no resolution to these issues.

Harlan Baumgartner stated that we need to do what works for the most towns and that the towns that want to be more restrictive can be if they choose. He further stated that local municipalities should be allowed to control themselves.

John Bluemke stated that he would need to talk to Joe Ruf about the ability to hire a consultant to assist on a time and material basis by next month’s meeting.

Harlan Baumgartner stated that he felt the County might have some leeway to quickly hire a consultant on a time and material basis because there were no responses to the RFP.

John Bluemke stated the focus of the consultant could be on the agricultural districts and the farmland preservation plan.

Harlan Baumgartner stated that towns need to see the text so they can offer ideas and head off future problems.

John Bluemke stated that the next meeting is scheduled for May 6th and that he would see if it was possible to hire Vandewalle to audit ordinances and perhaps prepare the farmland preservation plan.

Harlan Baumgartner stated that it is time to invite all towns to a meeting to discuss these items and get consensus on the issues.

John Bluemke stated that groups should pick one or two items to discuss at the next meeting.

Harlan Baumgartner indicated that the group should pick what the lot size should be now.
John Bluemke reminded the group that the county currently has no lot size.

Harlan Baumgartner stated that a lot size of one acre should be put in place and the towns can be more restrictive if they choose.

John Miller stated that a smaller lot needs to have more restrictions on use such as a needing a certain size for a farm building, animals, etc.

Debra Wopat stated that big farm operations can be located on small parcels with a digester.

John Bluemke indicated that state regulations would control in those situations.

Harlan Baumgartner stated that the next meeting needs to accomplish something. He then asked that the group make some decisions today.

Doug Richmond stated that a minimum lot size of 1 acre be established in the Agricultural Zoning District as a starting point and that it be sent out for feedback.

John Miller asked what size the parcel would need to be to have a farm building placed upon it.

Harlan Baumgartner stated that the minimum parcel size for a farm building should be five acres.

The group then decided to review the draft Agricultural Zoning District provide by John Bluemke to see if consensus could be reached on other items. The draft was largely accepted as written with the following issues being addressed:

- Lot size requirement will be 5 acres in the Exclusive Agriculture Zoning District.
- The lot coverage of buildings on existing farms will be discussed at a future meeting.
- Farm trailers will be discussed at a future meeting.
- Definition of a parcel and a lot will be discussed at a future meeting.
- Flag lots will be discussed at a future meeting.

The next meeting was scheduled for May 6th, 2008 at 10:00am.

Meeting adjourned 3:30 P.M.

Respectfully submitted,

Fred Teitgen, Secretary
Planning & Zoning Committee

Recorded by
Brian Zirbes
Principal Planner
cc: Planning & Zoning Committee
    Harlan Baumgartner, County Board Chair
    Debra Wopat, County Board Vice Chair
    Susan Moll, County Clerk