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Memo

To: Dane County Towns
From: Renée Lauber, DCTA Policy Advisor
Date: May 31, 2011
Re: DCTA supports OA #4 and Sub 1 to OA #37

Sub 1 to Ordinance Amendment 37, 2010-2011, Amending Chapter 10, Defining Small Scale Electric Generating Stations and Requiring a Conditional Use Permit for Such Uses in the A1-Ex Ag District

In March, the DCTA requested changes to OA 37 to remove loop holes in the definition of “Small Scale Electric Generating Station” so that all towers proposed under this use will require a Conditional Use Permit (CUP). The requested changes are in Sub 1 to OA 37 and were approved by the County Board on May 5, 2011. We now ask towns to support this amended OA.

As discussed in the March 31, 2011 memo (http://www.danecotowns.net/Policy_Archive.html), OA 37 was developed in response to town concerns about wind turbine development. The OA moves “Small Scale Electric Generating Stations” from a permitted use in A1 Ex-Ag to a conditional use. This gives towns oversight of the tower siting process as a CUP will be required.

In addition, the state legislature is currently developing rules for small scale wind systems. Once the state rules are established the Task Force on Chapter 10 will consider the need for a comprehensive county-wide wind turbine ordinance.

Ordinance Amendment 4, 2011-2012, Amending Chapter 10 of the Dane County Code of Ordinances, Regarding Accessory Structures

At its May 25, 2011 Executive Board meeting the DCTA unanimously voted to support OA 4. OA 4 is another product of the Task Force on Chapter 10. It came about as both county staff and towns asked for improvements to accessory structure regulations. The Task Force worked on this OA for over a year. The development process included a draft sent to towns for review and comment. A detailed fact sheet on town comments and the Task Force’s response is available at http://danedocs.countyofdane.com/webdocs/PDF/plandev/zoning/OA_4_Accessory_building_factsheet.pdf.

This OA makes many changes to accessory structures including requiring permits for all structures over 120 sq feet (farm buildings are no longer exempt), prohibits sanitary fixtures except as required by OSHA or other law, and changes building setbacks and height limitations. Please review the memo prepared by Senior Dane County Planner, Majid Allan, for a detailed summary for the proposed changes at http://danedocs.countyofdane.com/webdocs/PDF/plandev/zoning/OA_4_2011-12_accessory_buildings_staff_memo.pdf.

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