

Minutes
DCTA Executive Board Meeting
Wednesday, October 25, 2023
Springfield Town Hall, 6157 County Highway P
And via Zoom Meeting

Present: Derr, Mathies, Manering, Olson, Gibson (on phone)

Absent: Pulvermacher, Anders

Also Present: Renee Lauber, DCTA; Cynthia Richson, Middleton Chair; Dave Laufenburg, Springfield Supervisor; Majid Allan, Dane County Planning Department.

Meeting called to order at 7:06 PM by President Derr.

Approve 8/16/2023 minutes

Motion: Mathies/Manering. Approve minutes. Carried Unanimously.

Consider Financial Report

Motion: Olson/Mathies. Approve Financial Report. Carried Unanimously.

Discuss/consider Dane County zoning ordinance and Conditional Use Permits (CUPs).

- **Consider requesting ordinance amendment to address *Effect of denial of application*. No application for a conditional use and/or zoning change which has been denied wholly or in part shall be resubmitted for a period of one year from the date of said denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the zoning committee.**

Discussed changing to language that is used by the city of Madison requiring substantial new evidence. This language change would mean that small changes, like changing the number of dogs allowed to board from 150 to 125, would not be substantial and would not then trigger or allow a new application.

Discussed changing the process so the town votes first and the county votes second on CUPs. County legal support of a denial was brought up. If the county doesn't vote will the county attorneys help a town with a legal challenge? This is one of the reasons put forth previously for why towns should stay in county zoning.

Discussed Act 67, and delegation of county authority to towns.

Motion: Olson/Mathies. Request Dane County ordinance amendment to add language to the zoning code prohibiting resubmittal of a conditional use permit or zoning map amendment which has been denied wholly or in part for one year from the date of the final decision or the withdrawal of the application.

The following changes to the code are requested:

- *change wording of approval process to "review" process
- *move the CUP Town process before the ZLR process to reflect actual process
- *renumber appeal language section to fall in line with the layout of the section

- *add language regarding 1-year resubmittal of a CUP proposals (consider using language that is used by the city of Madison requiring substantial new evidence or proof of a change of conditions that would support approval or conditional approval of the application)
- *add language regarding the revocation process of a conditional use permit
- *remove condition of posting of CUP placard
- *add language regarding 1-year resubmittal of rezone proposals
- *remove standard condition requiring having a copy of the CUP available for inspection by the public
A draft of the proposed changes attached to the minutes.

Lauber was asked to contact ZLR Chair Doolan to sponsor.

- **Consider requesting CUP language be moved to new zoning districts**

Since towns have more discretion when considering a rezone than when considering a conditional use permit, moving CUP language to new zoning districts could help give towns more say over land use changes.

One issue with the proposed idea is that the benefits associated with CUPs expiring would be lost. Zoning changes do not expire. An additional issue, is that it is easier to revoke a CUP than to change a rezone.

Interest in have a committee review the zoning code and look for particular cases that would benefit from being moved from CUP to a rezone was discussed. (Majid left the meeting)

Consider resolution from DCTA Executive Board in support of Dane County Sheriff's Office use of body cameras.

The attached email from Sheriff Barrett was discussed.

Motion Gibson/Manering. The executive committee support the pilot program. Carried unanimously.

Legislative Updates

- Urban Towns Legislation. Towns in the Waukesha area hired lobbyist to push this legislation. The League of Municipalities is opposed to the legislation and is putting out inaccurate information.
- Town Clean Up Bill – to allow the appointment of a clerk; if an elected clerk steps down mid term, changing budget notice posting requirement to be the same as for any other notice and to allow the notice to reference where the budget document is available for public review; allow a town board to vacate a road that was laid and never really used (so the town would not have to go through the court vacation process)
- Speed limits – the big opponent to reducing speed limits is DOT because they want to keep control over how they are regulated. Proposed legislation would allow towns to lower the speed limit by 20 mph without needing a WisDOT approval (speed study). Now towns can reduce it 10 mph.
- Weight limits – there is a proposal to allow hauling whey up to 98,000 lbs

Other

Freeing up CARPC Board from reviewing Urban Service Area (USA) petitions was discussed. Currently CARPC makes recommendations on USAs to the DNR. Jerry stated that he hasn't heard of this proposal before. The

DCTA Executive Board discussed concerns about oversight, public participation, review quality and delegation of authority. Renee was asked to contact CARPC representatives.

EPA final finding that leaded aviation gas is a danger was recently released.

Adjourn

Motion: Gibson/Mathies. Adjourn at 9:40 pm.