



**Planning and Development
Committee
Minutes – June 13, 2024
In Person and Via Zoom**

Call to Order: The meeting of Rock County Planning & Development Committee was called to order by Chair Sutterline at 8:01 AM on Thursday, June 13, 2024. Supervisors present in person: Chair Sutterlin, Cullen, Boehlke, and Wilson. Supervisor present via ZOOM: Rashkin. QUORUM present.

Staff present: Steven Godding (Planner), Andrew Baker (Director), James Otterstein (Economic Development Manager), and Michelle Schultz (Real Property Lister).

Staff present via ZOOM: Supervisor Ryan.

Others present via ZOOM: Jeff Garde (Combs) and “Emily”.

Adopt Agenda: Motion to remove point 8, as to the bills have not fully been documented yet. Agenda moved by Supervisor Cullen as revised, Seconded by Supervisor Wilson. ADOPTED

Approval of Minutes:
Meeting held May 23: Moved by Supervisor Cullen, Seconded by Supervisor Wilson. ADOPTED

Citizen Participation, Communications and Announcements: None

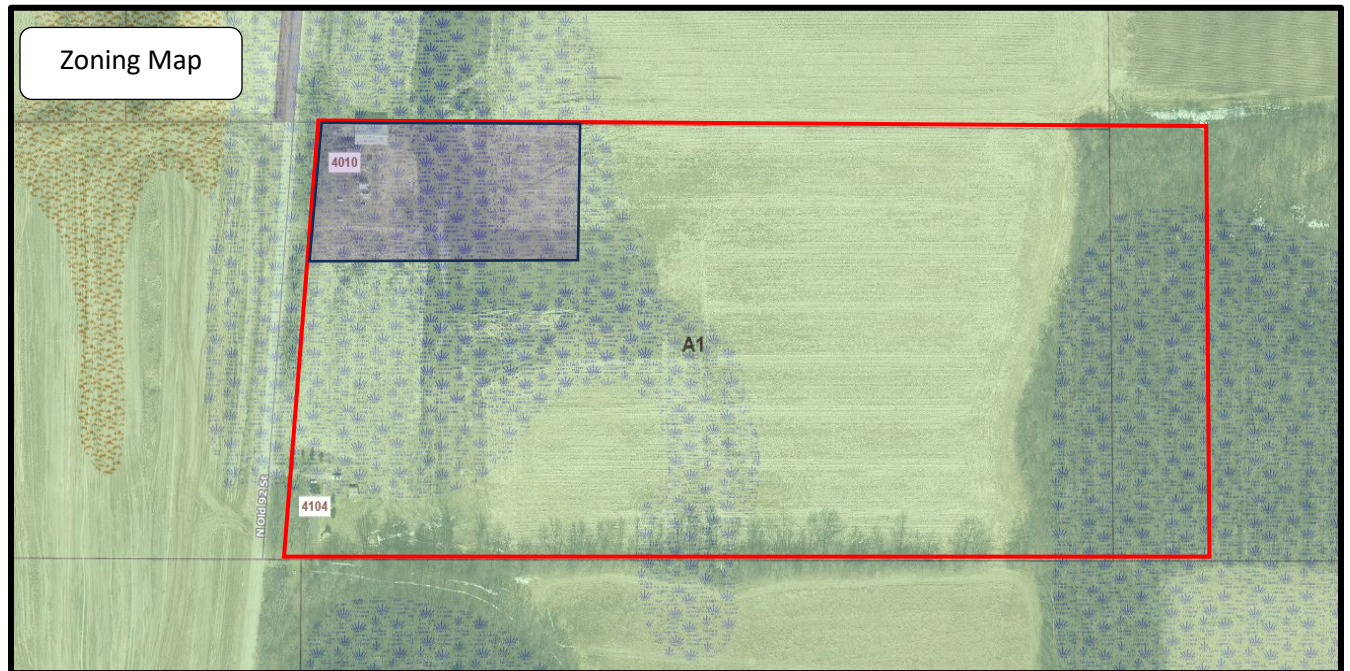
Code Enforcement:
Review and Possible Action Regarding LD 2024 027 (Magnolia Township) – Morton (2 Lot CSM)
Discussion carried out by Steven Godding (Planner).

Motion for approval of action item with conditions by Supervisor Rashkin, Seconded by Supervisor Cullen. Passed unanimously. CARRIED

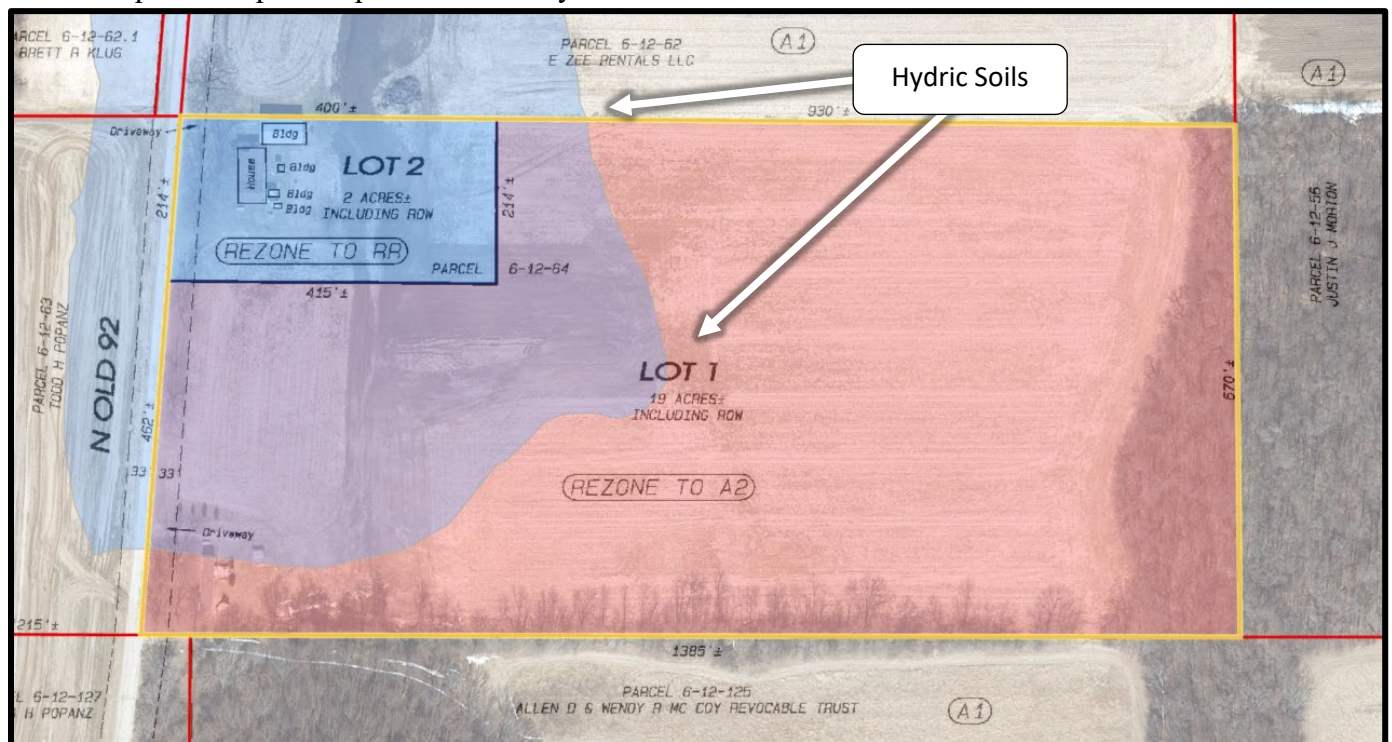
Rock County Land Division LD 2024 027
Tax ID/Parcel #: 024 012009 / 6-12-64
Town: Magnolia

The following conditions are subject to approval of the Minor Land Division in the Town of Magnolia .

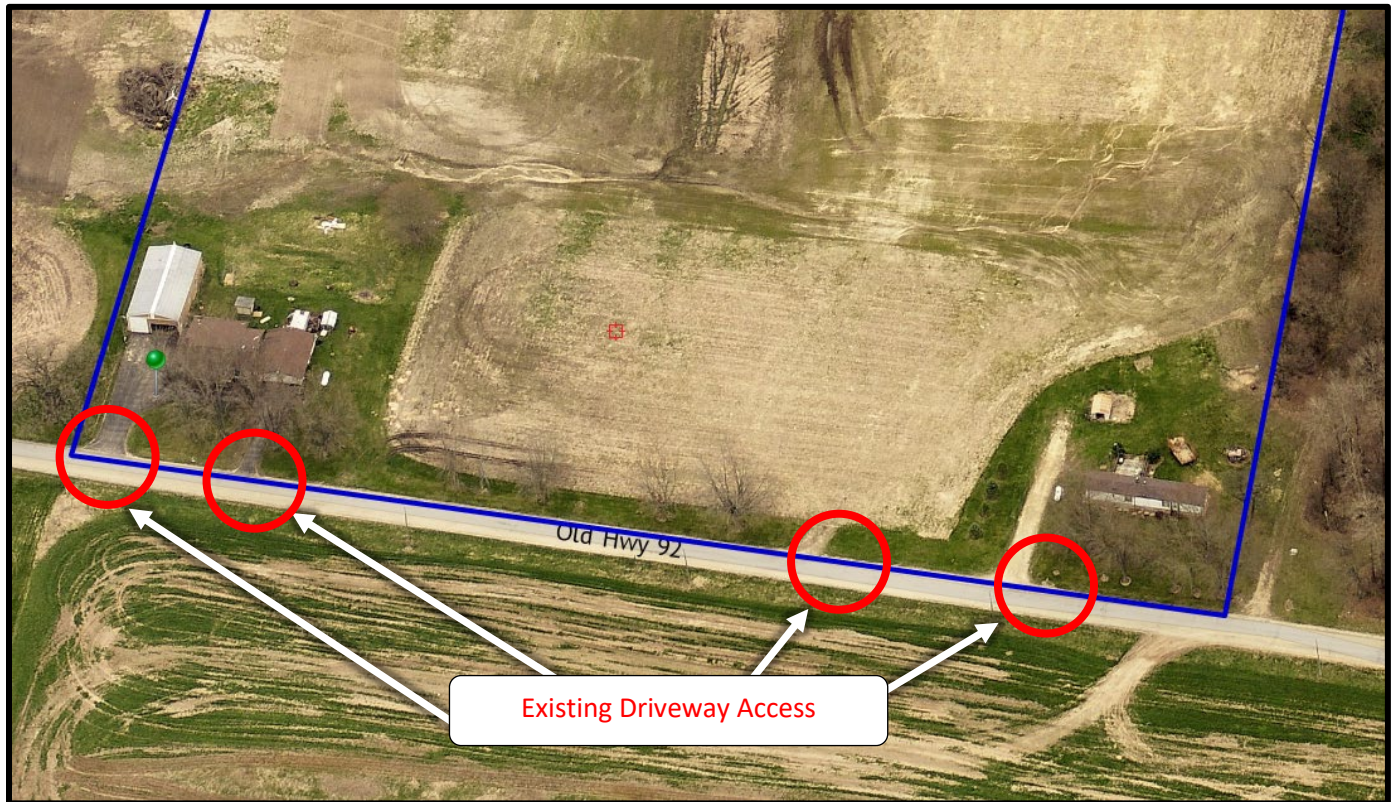
1. Zoning should be verified by the Town. This includes both the proposed lots and the parent parcel.



2. There are hydric soils present on both proposed lots. A note should be placed on the Certified Survey Map that reads: Prior to development, a wetland delineation may be required on parcels per Rock County Ordinance.



3. Currently there are 4 access point on the existing lot. The 2 driveway accesses on proposed Lot 2 and the driveway and field entrance access on proposed Lot 1 should be documented on the CSM.



4. Existing easements shall be shown, and proposed utility easements(s) shall be placed on the lots as requested by the utilitie companies (where applicable).
5. If land disturbance associated with the construction of a driveway that exceeds 100 feet then a Rock County Construction Site Erosion Control Permit is require. Please contact Rock County Land Conservation Department.
6. Note on Final CSM:
 - a. "No buildings which produce wastewater are allowed on lots until acceptable means of wastewater disposal is approved by the necessary governmental agencies".
 - b. Lots contains existing buildings which utilize an existing private sewage system at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing systems." Proposed lot lines must include the system area with the building which utilizes the system.

7. Dedicate a 33-foot half road right-of-way along the roadway at the discretion of the Town.
8. Final CSM shall be submitted to and approved by the Agency within one year after preliminary approval.
9. Final CSM shall be recorded with the Rock Co. Register of Deeds within 6 months of final approval.
10. The CSM needs to meet the minimum requirements of 4.112 of the County ordinance.

Review and Possible Action Regarding LD 2024 033 (Janesville Township) – Yahnke (3 Lot CSM)

Discussion carried out by Steven Godding (Planner). Land division is to settle an estate.

Motion for approval of action item with conditions by Supervisor Cullen, Seconded by Supervisor Boehlke. Passed unanimously. CARRIED

Rock County Land Division LD 2024 033

Tax ID/Parcel #: 016 005006 / 6-8-38.1

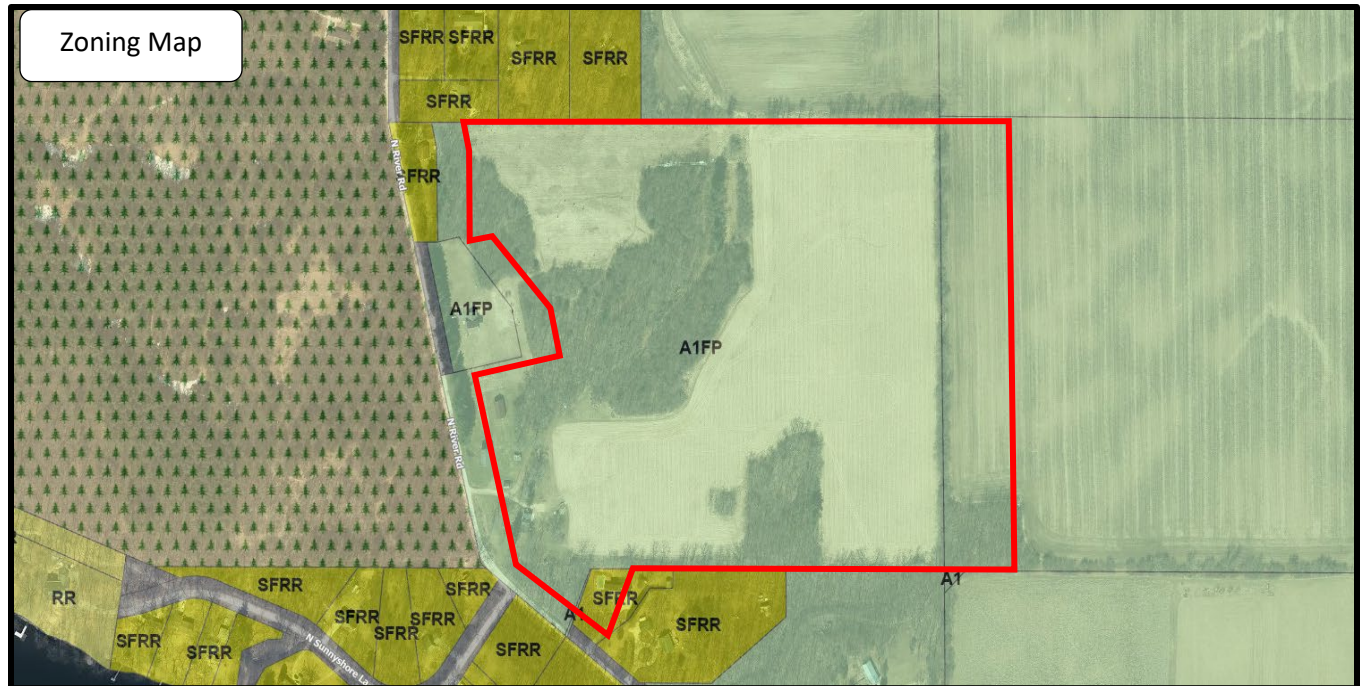
Town: Janesville

1. Zoning for the proposed lots should be verified by the Town. Proposed Lots 1 & 2 are to be rezoned to A-2 and proposed Lot 3 is to be rezoned to A-3.

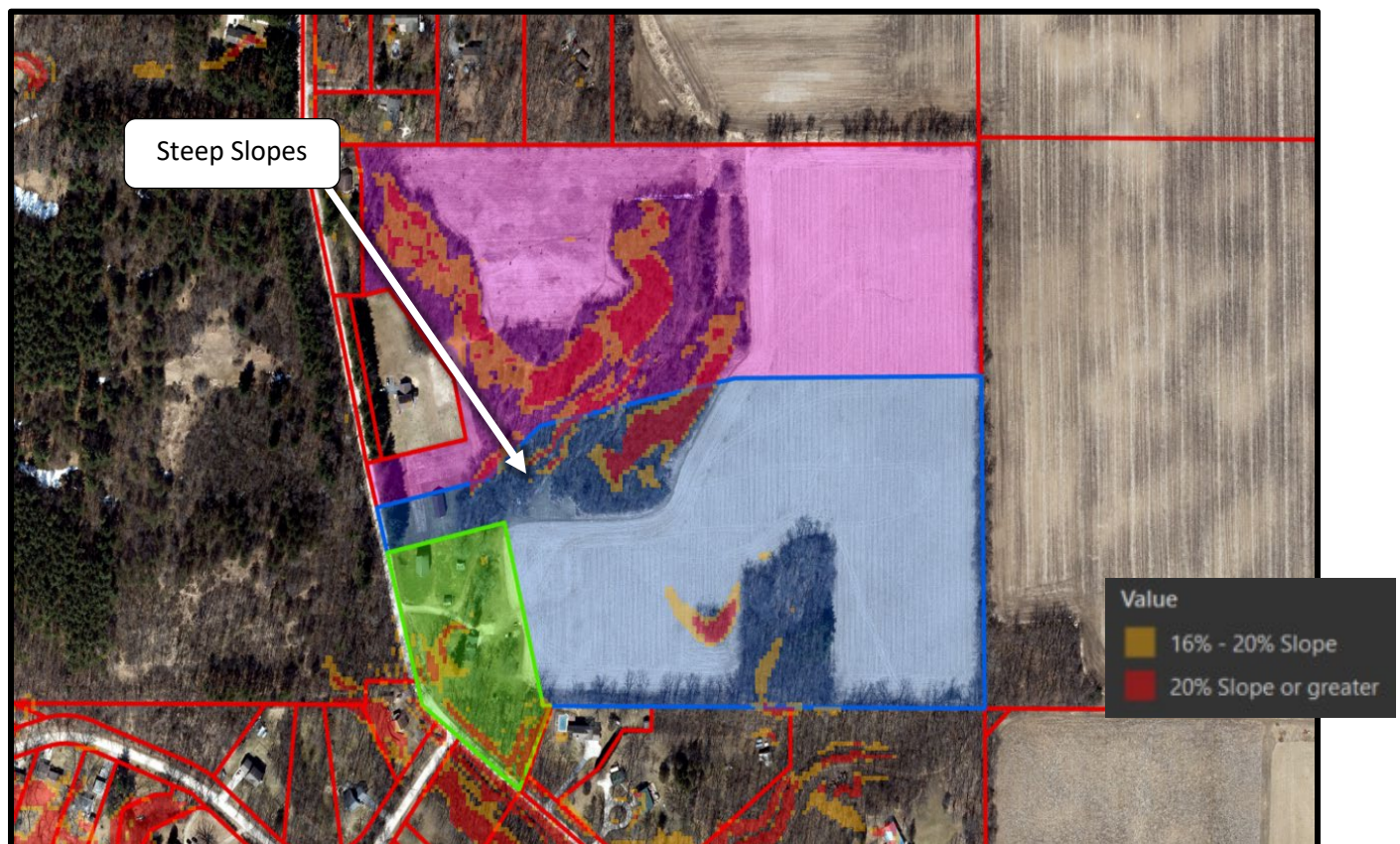
Per Wisconsin Statute 91.48 and the Town of Janesville's ordinance, there are requirements for rezoning parcels out of a Farmland Preservation Zoning district. Findings under this section are reported to DATCP and are key to maintaining certification for the Farmland Preservation Program. Failure to maintain certification will result in other landowners being unable to claim tax credits.

(6) Rezoning Land Out of A-1 Farmland Preservation District. Except as provided in sub. (B), the Town of Janesville may not rezone land out of the A-1 Farmland Preservation District unless the Town of Janesville finds all of the following in writing, after public hearing, as part of the official record of the rezoning:

- 1) The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.
- 2) The rezoning is consistent with any applicable comprehensive plan.
- 3) The rezoning is substantially consistent with the certified Rock County Farmland Preservation Plan, which is in effect at the time of the rezoning.
- 4) The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

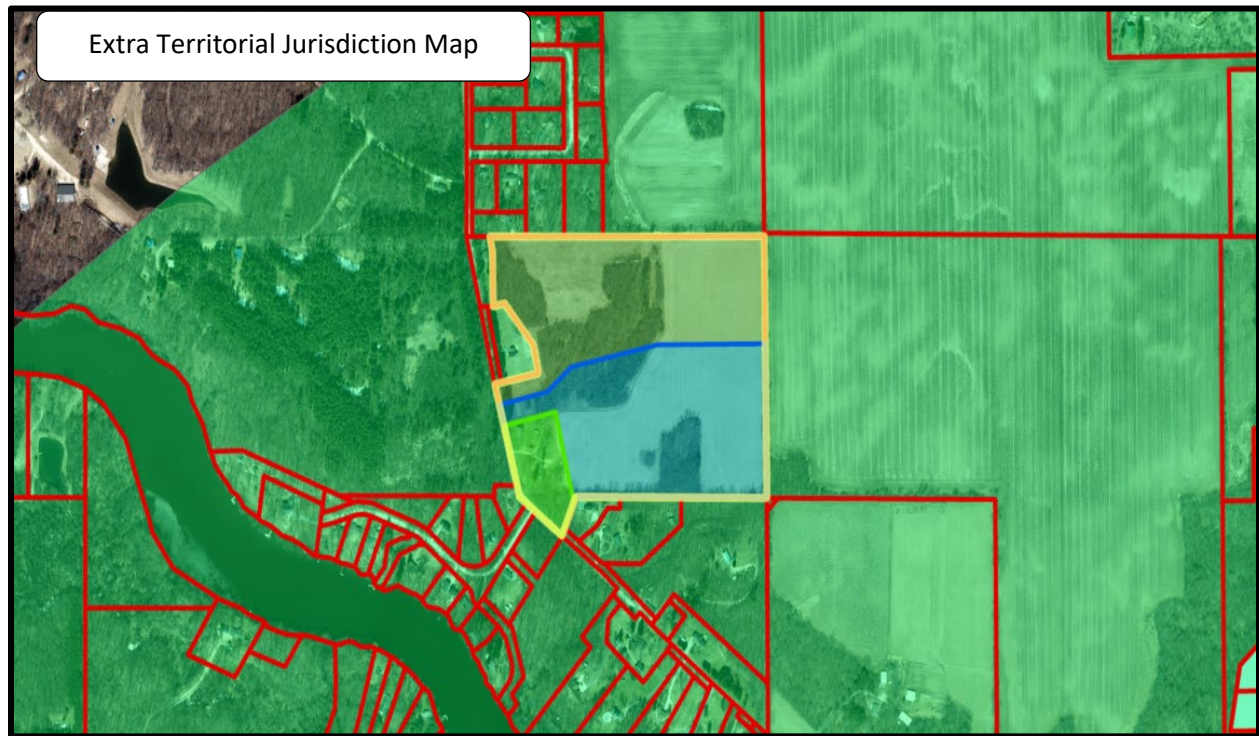


2. There are steep slopes located on the property.



3. This land division does fall into the Extra Territorial Jurisdiction (ETJ) Area boundary

for the City of Janesville.



4. Existing easements shall be shown, and proposed utility easements(s) shall be placed on the lots as requested by the utilitie companies (where applicable).
5. Dedicate a thirty-three-foot half road right-of-way along the road at the discretion of the Town.
6. If land disturbance associated with the construction of a driveway that exceeds 100 feet then a Rock County Construction Site Erosion Control Permit is require. Please contact Rock County Land Conservation Department.
7. Note on Final CSM:
 - a. “No buildings which produce wastewater are allowed on lots until acceptable means of wastewater disposal is approved by the necessary governmental agencies”.
 - b. Lots contains existing buildings which utilize an existing private sewage system at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing systems.” Proposed lot lines must include the system area with the building which utilizes the system.
8. Final CSM shall be submitted to and approved by the Agency within one year after preliminary approval.

9. Final CSM shall be recorded with the Rock Co. Register of Deeds within 6 months of final approval.
10. The CSM needs to meet the minimum requirements of 4.112 of the County ordinance.

Review and Possible Action Regarding LD 2024 035 (Magnolia Township) – Larson Acres (1 Lot CSM)

Discussion carried out by Steven Godding (Planner).

Motion for approval of action item with conditions by Supervisor Cullen, Seconded by Supervisor Rashkin. Passed unanimously. CARRIED

Rock County Land Division LD 2024 035

Tax ID/Parcel #: 024 012004 / 6-12-59

Town: Magnolia

1. Zoning should be verified by the Town. The minimum acreage for the Exclusive Agriculture District One (A-1) is 35 acres. It is recommended that the new parcel be rezoned to a suitable zoning district in the Town of Magnolia.

Town of Magnolia Zoning Ordinance – 4.4 (E)

E. FARM CONSOLIDATION

Pre-existing farm residences whose initial construction began before July 26, 1977 may be separated from the farm parcel and rezoned. Farm residences or structures being separated shall not exceed five (5) acres. The Town Board is herein granted the authority to reduce the parcel size below five (5) acres based on the proposed parcels physical characteristics and farmland being taken out of production. The remaining portion of the original parcel shall conform to the standards of this district. Any separation of farm residences or structures from an existing parcel shall meet all of the following requirements:

1. The separation is for the purpose of farm consolidation;
2. The farm residence or structures existed prior to the adoption of the original ordinance (July 26, 1977); and
3. The separated farm residence or structures parcel is no larger than reasonably necessary to accommodate the proposed use.

It does appear that the structure's being separated were constructed/established prior to 1977.



Per Wisconsin Statute 91.48 and the Town of Magnolia's ordinance, there are requirements for rezoning parcels out of a Farmland Preservation Zoning district. Findings under this section are reported to DATCP and are key to maintaining certification for the Farmland Preservation Program. Failure to maintain certification will result in other landowners being unable to claim tax credits.

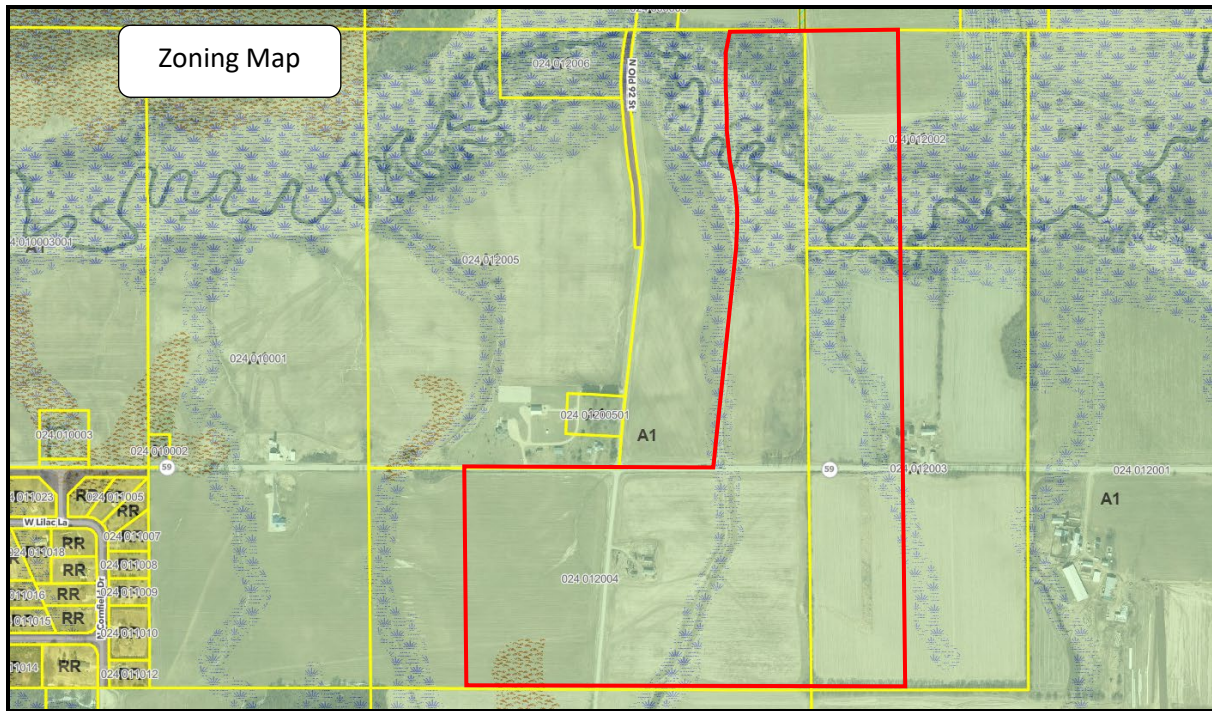
Town of Magnolia Zoning Ordinance – 4.4 (F)

F. FINDINGS BEFORE REZONING PARCELS OUT OF THIS DISTRICT

The Town Board shall only approve petitions for rezoning areas within this district only after positive findings are made, based upon consideration of the following criteria and meets the requirements of Section 91.48 [Rezoning of Land out of a Farmland Preservation Zoning District] Wisconsin State Statutes:

1. The rezoning is consistent with any applicable comprehensive plan.
2. Per 91.48(1)(c) Wisconsin State Statutes the rezoned land is substantially consistent with the County Certified Farmland Preservation Plan.
3. The land is better suited for a use not allowed in the Exclusive Agricultural District 1 (A-1).
4. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural uses.
5. Adequate public facilities to accommodate development either exist or will be provided within a reasonable time.

6. Provision of public facilities to accommodate development will not place an unreasonable burden on the affected local units of government and school districts to provide them.
7. The land is suitable for development and development will not result in undue water or air pollution, cause unreasonable soil erosion, or have an unreasonably adverse effect on rare or irreplaceable natural resources.
8. Shall not adversely affect the sustainability of the agricultural economy.
9. Rural Residential density exceeding .9 dwelling units per acre shall be directed to areas with urban services.
10. No subdivisions shall be approved in Exclusive Agricultural Land.
11. The Town Board shall document that items (1), (2), and (3) were considered by providing their findings on each of these issues in writing to the Department of Agriculture, Trade and Consumer Protection along with notification of any land zoned out this district. This shall be accomplished by:
 - a. The Town Clerk/Treasurer providing an approved copy of the zoning change and findings approved by the Town Board, to the Rock County Planning and Development Agency.
 - b. The County Planning and Development Agency will assign the zoning change to the respective land parcel on the Official Town Zoning Map.
 - c. By March 1 of each year the Town of Magnolia shall provide the Wisconsin Department of Agriculture, Trade & Consumer Protection (DATCP) with a report of the number of acres that have been rezoned out of the A-1 Zoning District during the previous year and a map that clearly shows the location of those areas.



2. Existing easements shall be shown, and proposed utility easements(s) shall be placed on the lots as requested by the utility companies (where applicable).
3. If land disturbance associated with the construction of a driveway that exceeds 100 feet then a Rock County Construction Site Erosion Control Permit is required. Please contact Rock County Land Conservation Department.
4. Note on Final CSM:
 - a. "No buildings which produce wastewater are allowed on lots until acceptable means of wastewater disposal is approved by the necessary governmental agencies".
 - b. Lots contains existing buildings which utilize an existing private sewage system at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing systems." Proposed lot lines must include the system area with the building which utilizes the system.
5. Dedicate a 33-foot half road right-of-way along the roadway at the discretion of the Town.
6. Final CSM shall be submitted to and approved by the Agency within one year after preliminary approval.

7. Final CSM shall be recorded with the Rock Co. Register of Deeds within 6 months of final approval.
8. The CSM needs to meet the minimum requirements of 4.112 of the County ordinance.

Review and Possible Action Regarding LD 2024 036 (Magnolia Township) – Drefhal (2 Lot CSM)

Discussion carried out by Steven Godding (Planner).

Motion for approval of action item with standard conditions by Supervisor Cullen, Seconded by Supervisor Wilson. Passed unanimously. CARRIED

Rock County Land Division LD 2024 036

Tax ID/Parcel #: 024 048001 / 6-12-262

Town: Magnolia

1. Zoning should be verified by the Town. The minimum acreage for the Exclusive Agriculture District One (A-1) is 35 acres. Proposed Lot 1 is to be rezoned to Rural Residential and Proposed Lot 2 is to be rezoned to Agricultural District Three (A-3). The existing structures should meet the building setback requirements of the proposed zoning districts.

If the zoning changes are approved, please send a zoning change request form for the proposed parcels to the Rock County Planning Department.

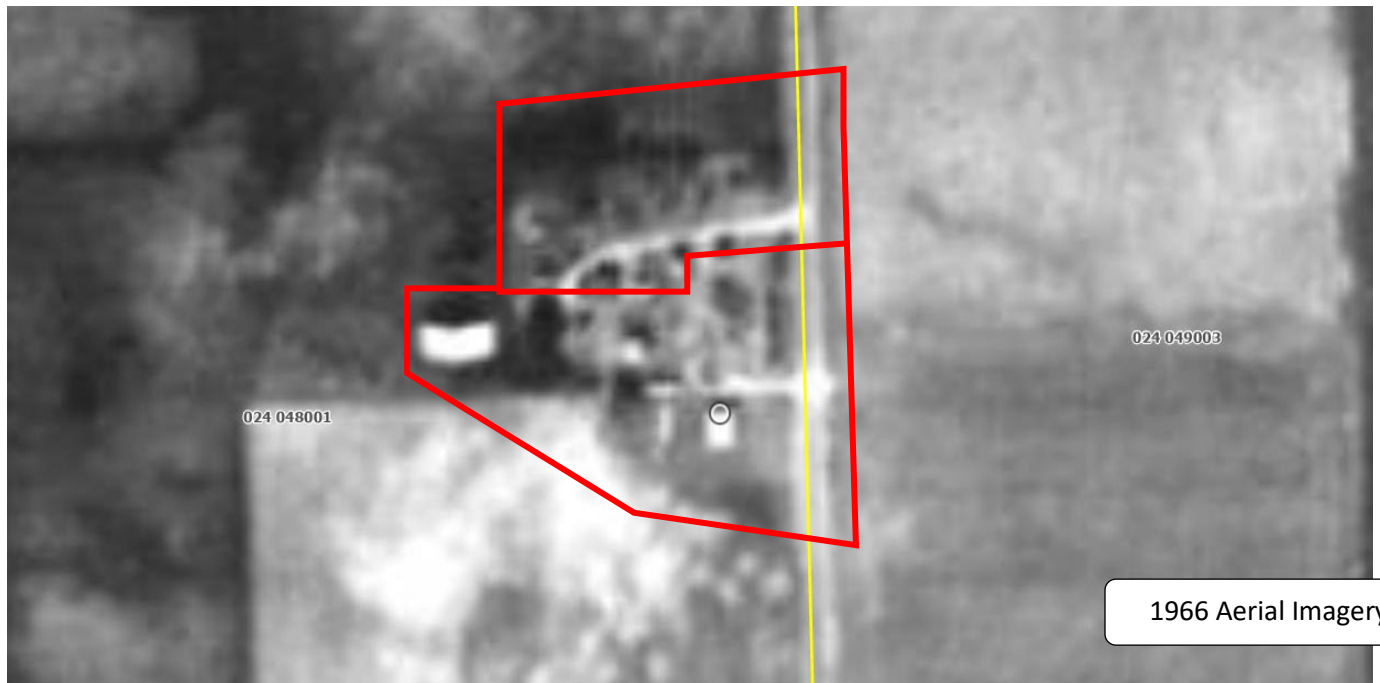
Town of Magnolia Zoning Ordinance – 4.4 (E)

E. FARM CONSOLIDATION

Pre-existing farm residences whose initial construction began before July 26, 1977 may be separated from the farm parcel and rezoned. Farm residences or structures being separated shall not exceed five (5) acres. The Town Board is herein granted the authority to reduce the parcel size below five (5) acres based on the proposed parcels physical characteristics and farmland being taken out of production. The remaining portion of the original parcel shall conform to the standards of this district. Any separation of farm residences or structures from an existing parcel shall meet all of the following requirements:

1. The separation is for the purpose of farm consolidation;
2. The farm residence or structures existed prior to the adoption of the original ordinance (July 26, 1977); and
3. The separated farm residence or structures parcel is no larger than reasonably necessary to accommodate the proposed use.

It appears that the structure's being separated were constructed/established prior to 1977.



Per Wisconsin Statute 91.48 and the Town of Magnolia's ordinance, there are requirements for rezoning parcels out of a Farmland Preservation Zoning district. Findings under this section are reported to DATCP and are key to maintaining certification for the Farmland Preservation Program. Failure to maintain certification will result in other landowners being unable to claim tax credits.

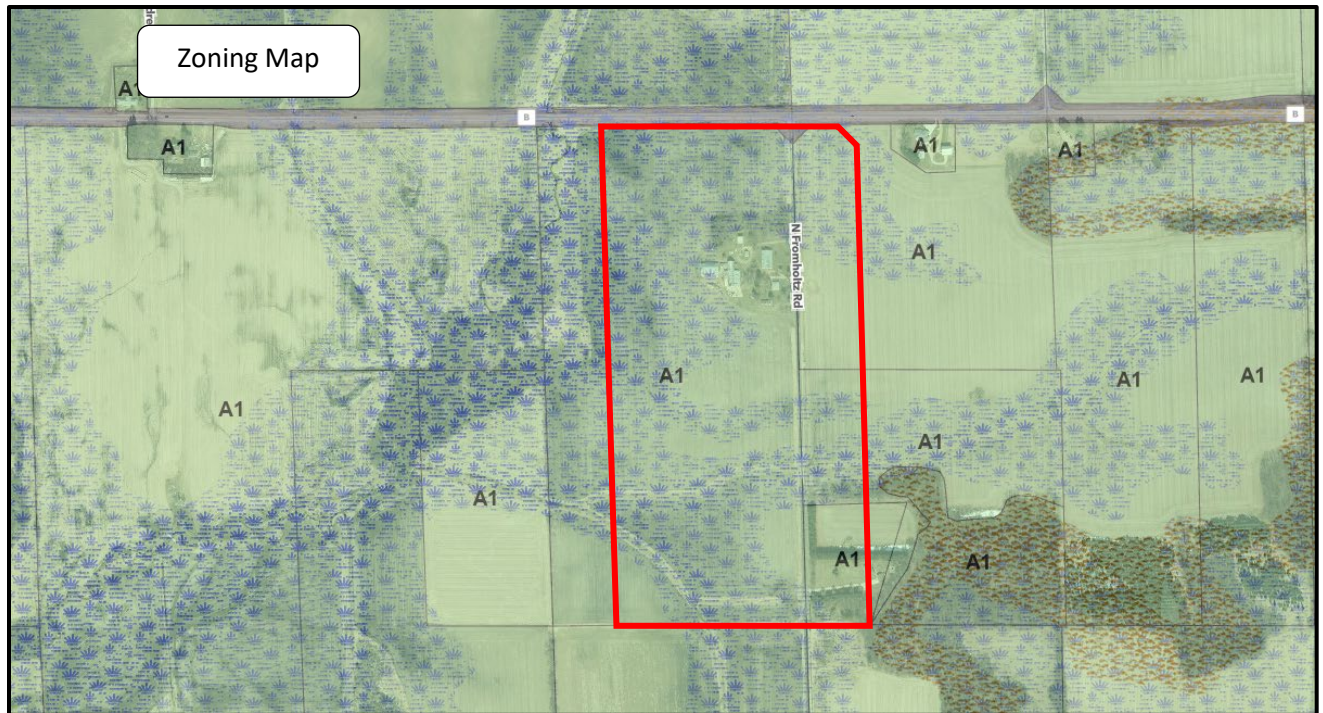
Town of Magnolia Zoning Ordinance – 4.4 (F)

F. FINDINGS BEFORE REZONING PARCELS OUT OF THIS DISTRICT

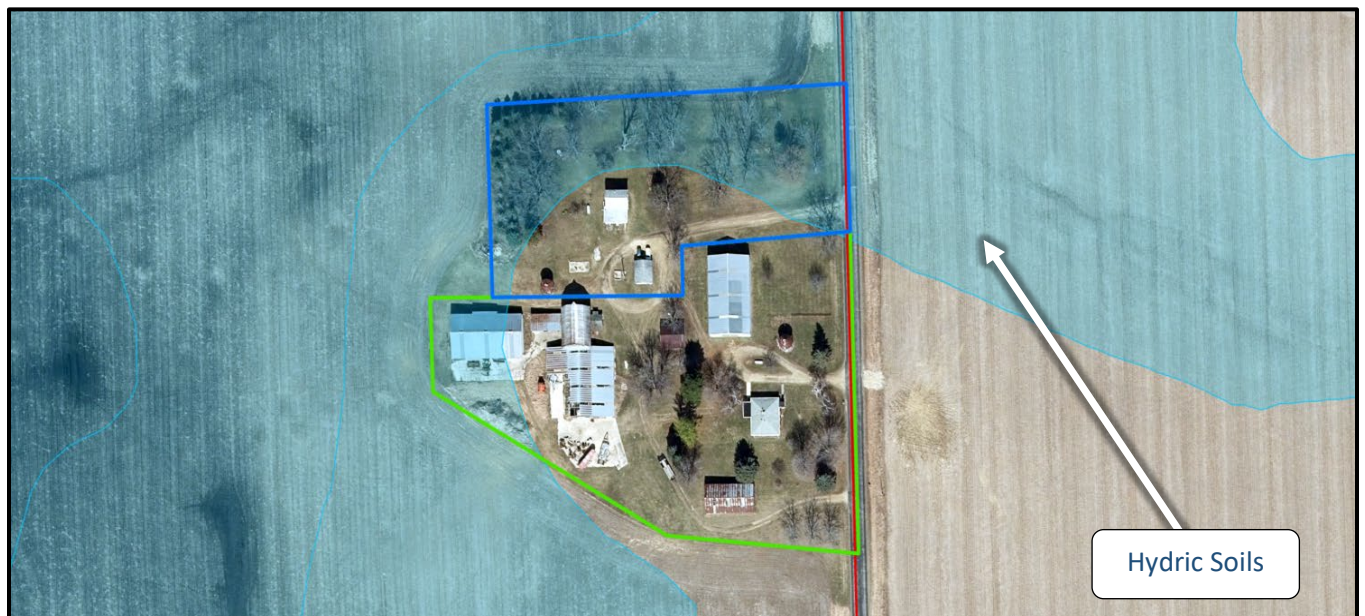
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2. Per 91.48(1)(c) Wisconsin State Statutes the rezoned land is substantially consistent with the County Certified Farmland Preservation Plan.
3. The land is better suited for a use not allowed in the Exclusive Agricultural District 1 (A-1).
4. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural uses.

5. Adequate public facilities to accommodate development either exist or will be provided within a reasonable time.
6. Provision of public facilities to accommodate development will not place an unreasonable burden on the affected local units of government and school districts to provide them.
7. The land is suitable for development and development will not result in undue water or air pollution, cause unreasonable soil erosion, or have an unreasonably adverse effect on rare or irreplaceable natural resources.
8. Shall not adversely affect the sustainability of the agricultural economy.
9. Rural Residential density exceeding .9 dwelling units per acre shall be directed to areas with urban services.
10. No subdivisions shall be approved in Exclusive Agricultural Land.
11. The Town Board shall document that items (1), (2), and (3) were considered by providing their findings on each of these issues in writing to the Department of Agriculture, Trade and Consumer Protection along with notification of any land zoned out this district. This shall be accomplished by:
 - a. The Town Clerk/Treasurer providing an approved copy of the zoning change and findings approved by the Town Board, to the Rock County Planning and Development Agency.
 - b. The County Planning and Development Agency will assign the zoning change to the respective land parcel on the Official Town Zoning Map.
 - c. By March 1 of each year the Town of Magnolia shall provide the Wisconsin Department of Agriculture, Trade & Consumer Protection (DATCP) with a report of the number of acres that have been rezoned out of the A-1 Zoning District during the previous year and a map that clearly shows the location of those areas.



2. There are hydric soils present on the proposed lots.



3. Existing easements shall be shown, and proposed utility easements(s) shall be placed on the lots as requested by the utility companies (where applicable).

4. If land disturbance associated with the construction of a driveway that exceeds 100 feet then a Rock County Construction Site Erosion Control Permit is require. Please contact Rock County Land Conservation Department.
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Community Development:

Update: ARPA Budgeted Funds for Affordable Housing and Proposed Schedule for Decisions

Director Baker began the discussion and explanation using a deck slide that was created. This had not been included in the initial agenda packet, but will be made available to the public. The ARPA funds must be contracted before the end of 2024, not leaving much time to use the funds but will primarily be used to fill funding gaps. There was discussion of involvement from the Housing Authority with Supervisors Schulz and Wilson being part of this committee. The programs available are primarily for rental and owner rehabilitation. The ARPA funds guide and rules has recently been updated so that presumptions can be used as potential qualifications when deciding if a project could be funded with the available grant money. There is \$4.5 million that was approved for the county in November 2023. The Housing Authority is given the task to recommend the contracts and then will submit those results to the Planning Committee. Supervisor Wilson mentioned how more funds could have been allocated for what projects have proposed as the monies available are not enough to fill the gap. There is a need to work with developers to see if there is a possibility to further cut costs. Should it not be helpful, there are some projects that may get cut from the list. James Otterstein (Economic Development Manager) noted that the goal was to create an objective process to make these decisions. The ultimate authority on this decision comes down to the County Board. The request for an informational meeting point was discussed, referencing the presentation over affordable housing needs that Supervisor Wilson demonstrated to the County Board. Staff will continue to work with developers with the goal to have a recommendation drafted for July.

Economic Development:

Quarter 1 2024 Rock Ready Index Report

Mr. Otterstein reviewed the Q1 2024 Rock Ready Index, a quarterly dashboard report that is compiled and distributed by the Agency. Various statistical references, trends and observations were woven into his remarks. He also highlighted, as well as responded to questions regarding, general and specific initiatives and/or projects throughout the County. A brief online orientation, involving some key (external) web pages where various economic/workforce and market data curated by the Agency exists, was also provided. There was discussion. Since it was an information item, there was no Committee action.

Director's Report:

P&D Staff Update

Director Baker began discussion with an update of how the Senior Planner position filling is resulting. As of present, the candidates are the current planner Steven Godding and an external applicant. There are hopes to have all position filled during July 2024. The budget is due to be submitted by August 1st, 2024, and will need to be brought up during the July 11th Planning Committee meeting prior to.

Committee Reports: None

Adjournment: Adjournment at 9:37 AM.

Moved by Supervisor Cullen, Seconded by Supervisor Wilson. APPROVED

Respectfully Submitted,

Ilana Eisenberg, Office Coordinator

NOT OFFICIAL UNTIL APPROVED BY COMMITTEE.