

TO: Senator Frank G. Lasee, Chair, 2015 Senate Committee on Insurance, Housing, and Trade
Room 316 South, State Capitol, Madison, WI 53707-7882

CC: Committee members, 2015 Senate Committee on Insurance, Housing, and Trade

FROM: Town of Dunn Town Chair Edmond Minihan
Town of Cross Plains Town Chair Greg Hyer
Town of Montrose Town Chair Roger Hodel
Town of Perry Town Chair Roger Kittleson
Town of Primrose Town Board

Town of Christiana Town Chair Gary Rattmann
Town of Oregon Town Chair Wayne Ace
Town of Pleasant Springs Town Chair Mary Haley
Town of Springdale Town Chair Ed Eloranta
Town of Roxbury Town Board

RE: Opposing SB 479 to allow Dane County Towns to withdraw from County Zoning

I am writing on behalf of 10 Dane County Towns to urge you to oppose SB 479. We are deeply concerned about the repercussions this bill would have for our towns and our fellow Dane County towns, property owners and taxpayers.

Perhaps the most important reason we encourage you to oppose this legislation is that it seems to be attempting to fix a problem that, we believe, is overstated and quite limited. Only 13 zoning petitions have been denied since 2011, and about half of those denied were in fact denied at the Town level, not by Dane County Zoning. Towns enjoy significant benefits from our partnership with Dane County Zoning, and these limited incidents of denial do not warrant abandoning a well-functioning system.

In Dane County, towns have been successful at achieving farmland preservation that supports a robust agricultural economy, while also facilitating appropriate development in our rural areas. This is due in large part to having a predictable, cooperative system across the county. If this bill is enacted, it will lead to a fragmented decision making system that varies widely from town to town. This would be a barrier for farmers and developers alike. Despite the provision to have all towns that opt-out adopt a single code, it would be a challenge to maintain this consistency over time as individual towns pursue updates as they begin to use the code.

Administrating zoning at the county level allows for having high quality planning staff administrating and enforcing the zoning ordinance. Most towns do not have the capacity to hire staff with this capability should they choose to have their own ordinance. With County zoning, Towns have both the benefit of town-level review for local control and collaborating county zoning staff and taking advantage of on their expertise. Enforcement is another important service that county zoning provides. If towns opt out, they are losing out on this service and town taxpayers are also paying twice – through county taxes which fund county zoning, plus the significant financial investment of administrating and enforcing a zoning ordinance locally whether by hiring staff or a consultant.

Dane County Zoning has been responsive to the concerns of towns as they have arisen, making changes to give towns more local control over the zoning process. For example, Dane County Towns have the ability to approve or deny Conditional Use Permits, which is unique to Dane County. Town action comes first, influencing the county process, and adjustments have been made to have more town representatives on zoning committees.

Once again, we urge you to oppose SB 479. We believe this bill represents a costly over-correction for a limited set of circumstances. County zoning provides a significant benefits to towns in a very cost effective manner, while providing a predictable, consistent process county-wide. Eliminating this consistency would come at a great cost both financially and in a diminished ability to provide quality services to our residents.

Sincerely,



Edmond P. Minihan

Chairman, Town of Dunn

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