

Amendatory Ordinance No. 18-897

To the Honorable Iowa County Board of Supervisors:

Whereas it is recognized that prime soils are a resource worth protecting;

Whereas the existing provisions in the Iowa County Zoning Ordinance restricts new development in prime soils;

Whereas there have been numerous requests for variances to the prime soils provision of Section 3.3 of the Iowa County Zoning Ordinance indicating that there may be a need to readdress that specific provision;

Therefore, an amendment was proposed to allow limited development and to redefine prime soils as prime farmland;

Whereas the Townships of Iowa County have had opportunity to review this petition;

Whereas a public hearing, designated as zoning hearing number **1419** has been held on **August 14, 1997** in accord with said notice and as a result of said hearing action has been taken by the Planning and Zoning Committee to **deny** said petition with the specific provisions attached,

Now therefore be it resolved that Section 3.3 of the Iowa County Zoning Ordinance **not** be amended in accord with the attached.

Richard A. Smith

Roman Schlegel

Robert Melton

Clyde Trumbull

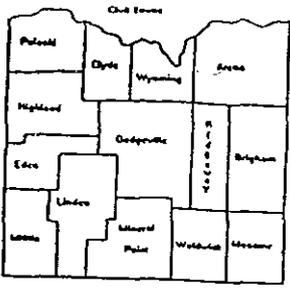
Dale T. Keobald

Planning & Zoning Committee

I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory Ordinance No. _____ was _____ approved as recommended; _____ approved with amendment; _____ denied as recommended; _____ rereferred to the Planning & Zoning Committee by the Iowa County Board of Supervisors on _____, 19__.

Iowa County Clerk

Date



IOWA COUNTY ZONING ADMINISTRATION

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Proposed Amendments to the Iowa County Zoning Ordinance

Replace paragraph 15 under Section 3.3 beginning with “In this district no new site...” with:

“In this district, lands considered to be Prime Farmland, as defined in Section 12.0 of this Ordinance, shall not be developed unless one or more of the following criteria are met. Development shall include proposed structures, septic systems, driveways, or any other humanmade alteration of improved or unimproved real estate.

Criteria 1: The proposed development is necessary for the continued agricultural use of the parcel. Examples may include field roads, agricultural accessory structures, or replacement septic systems on parcels already with improvements where the intent is to maintain or increase the agricultural use of the parcel. This does not include proposed new residences unless other structures customary to a farm are simultaneously proposed or existing.

Criteria 2: The area considered Prime Farmland is not feasible to be farmed due to its small area, unique shape, excessive slope, or proximity to wetlands or seasonally saturated soils. Examples may include narrow strips of Class II or III soils too small to be farmed or drainage ditchlines. No development shall be approved where there is an alternative site for said development that does not involve Prime Farmland. Where there is no alternative site, the development shall be designed to minimize the amount of Prime Farmland utilized.

Criteria 3: It is proven that the Iowa County Soil Survey is inaccurate. It shall be the sole responsibility of the applicant to prove the alleged inaccuracy of the Survey.”

Add to Section 3.35, before the Permitted Principal Uses, the following:

“In this district, lands considered to be Prime Farmland, as defined in Section 12.0 of this Ordinance, shall not be developed unless one or more of the following criteria are met. Development shall include proposed structures, septic systems, driveways, or any other humanmade alteration of improved or unimproved real estate.

Criteria 1: The proposed development is necessary for the continued agricultural use of the parcel. Examples may include field roads, agricultural accessory structures, or replacement septic systems on parcels already with improvements where the intent is to maintain or increase the agricultural use of the parcel. This does not include proposed new residences unless other structures customary to a farm are simultaneously proposed or existing.

Criteria 2: The area considered Prime Farmland is not feasible to be farmed due to its small area, unique shape, excessive slope, or proximity to wetlands or seasonally saturated soils. Examples may include narrow strips of Class II or III soils too small to be farmed or drainage ditchlines. No development shall be approved where there is an alternative site for said development that does not involve Prime Farmland. Where there is no alternative site, the development shall be designed to minimize the amount of Prime Farmland utilized.

Criteria 3: It is proven that the Iowa County Soil Survey is inaccurate. It shall be the sole responsibility of the applicant to prove the alleged inaccuracy of the Survey.”

Add to Section 12.0 Definitions the following:

“~~Prime Farmland~~ is land best suited for producing feed, food, forage, fiber and oilseed crops, and also is available for these uses. (The existing land use could be cropland, pastureland, range land, forest land or other land but not urban built-up land or water.) It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops economically when treated and managed, including water management, according to modern farming methods. This may include soils classified as Class I, II, or III according to the Iowa County Soil Survey.”