

Element 2 - Housing Goals, Objectives and Policies

(NOTE: These goals, objectives and policies refer to areas designated as “Single Family Residential” on the Proposed Land Use Maps. Specific land use related policies are defined in the Land Use Element. Currently, only a limited amount of infill development is identified on the proposed land use map. This does not preclude future amendments being proposed or added under this section, and therefore serves as a placeholder if such amendments occur.)

1 Housing Goal 1: Continue to maintain the Town’s rural character through the preservation of agriculture and the discouraging of housing development that conflicts or could conflict with agriculture. (See Agricultural Section of this Plan)

1.0 Objective 1.0:

Emphasize the preservation of agriculture as the primary land use in the Town of Vienna through the enforcement of state statutes, county zoning ordinances and Town Land Division and Subdivision regulations. (See Agricultural Section of this Plan)

Policies:

- 1.01 Applicability of the Town Land Division and Subdivision Ordinance –Update and maintain the Town’s Land Division and Subdivision Ordinance as the primary tool to control residential development within the Town. (See Agricultural Section of this Plan)
- 1.02 Review of Proposals for a New Single-Family Home Site – Requests for single- family homes will be evaluated on a case-by-case basis in accordance with the policies defined in this plan as well as Town ordinances.
- 1.03 Location of Proposed Residential Uses – Residential uses in agricultural areas are only allowed within the guidelines of this plan and its maps, the regulations of this zoning classification, any associated encumbrances on a parcel from previous land division or rezoning, and the Town Land Division and Subdivision Ordinance24.

~~1.04 Density Policy for Agriculture Preservation Areas –Within Agricultural Preservation areas that are outside of approved urban service areas, limit non-farm residential development to a maximum density in the Town of Vienna is of one unit per 75 contiguous acres, for details see Agricultural element Policy 1.03. Enforcement of this policy will be primarily achieved through the Town of Vienna Land Division and Subdivision Ordinance, and other policies of this comprehensive plan. (Also see the Agricultural Element of this plan.) Implementation of this policy will be primarily achieved through a combination of A-1 Exclusive Agriculture zoning, and enforcement of the Town of Vienna Land Division and Subdivision Ordinance.~~

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~~1.04.1 Exemptions from Density Policy in Agricultural Preservation Areas –Immediate family members are permitted to divide off a lot or parcel for purposes of building a home without meeting the minimum acreage requirement through Any homes and parcels split off prior to December 31, 2008 under the family exemption that did not count as a split at the time, will continue to not be counted as a split. After this date, all persons wishing to divide or subdivide land in an Agricultural Preservation area must meet all requirements of the Town’s density and tenure policies. Enforcement of these~~

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~~policies will be primarily achieved through the Town of Vienna Land Division and Subdivision Ordinance.~~

1.04.1 Related Definitions and Split Policies for Ag Preservation Areas – Please see the Agricultural Element of this Plan for additional information.

1.04.2 Accessory Dwelling Units (ADU's): All dwelling units whether primary or accessory will require the use of a split and/or subsequent Deed Restrictions. Any rezones to HAM-R, HAM-M, TFR and MFR should be reviewed with caution (or deed restricted) as attached accessory dwelling units are a permitted use in these districts.

1.05 Density Policy for Urban Service Areas – Densities within existing urban service areas or limited urban service areas shall be consistent with existing development within the Urban Service Area, and will be subject to the applicable zoning ordinance (either Dane County Zoning Ordinance or Village of DeForest ETZ Ordinance), the ability to connect to public sanitary utilities, and overall compatibility with existing uses within the area.

1.06 Tenure Policy – See Agricultural Chapter Section 1.04. Within Agriculture Preservation areas, require that a property owner must own his/her property for a minimum of 20 years prior to the date of application for a rezone or a land division before being able to divide off a parcel, building site with associated preservation area, or lot under density policies of this plan. Enforcement of this policy will be primarily achieved through the Town of Vienna Land Division and Subdivision Ordinance. Areas within designated urban service areas are not subject to the Town of Vienna Land Division and Subdivision Ordinance.

1.06.1 Exemptions from the Tenure Policy – The tenure policy does not apply to the following situations:

- a) Separation of existing farm buildings from the primary residence would be exempt from this policy.
- b) This tenure policy would not be applicable in approved urban service areas or limited urban service areas.
- c) Available splits for immediate family members may be proposed through December 31, 2008.

1.07 Zoning for Farm Related Residential Uses – See Agricultural Element Section 3.01.2. The applicable zoning classification for rural residential uses within agricultural areas that are

outside of the extraterritorial zoning jurisdiction of the Village of DeForest is the Exclusive Agriculture classification of the Dane County Zoning Ordinance. The applicable zoning ordinance within the extraterritorial zoning jurisdiction of the Village of DeForest is the adopted ETZ Ordinance.

1.08 Zoning for Non-Farm Residential Uses – The applicable zoning classifications for non-farm related residential uses outside of the extraterritorial zoning jurisdiction of the Village of DeForest is the Rural Residential (RR) Housing (RH) and Residential (SFR) Districts of the Dane County Zoning Ordinance²⁶ The applicable zoning ordinance within the extraterritorial zoning jurisdiction of the Village of DeForest is the adopted ETZ Ordinance. The appropriate zoning category for the proposed use will be based upon whether or not urban services are available (namely water and sewer) or adequate soils for septic systems and well-drilling are available, the lot size as defined in the applicable zoning ordinance, the area is not encumbered as to future land uses in any fashion from previous land divisions or rezoning, and the proposed use is compatible with existing uses in the area.

1.09 Locations of New Subdivisions – There are currently two potential single-family residential subdivision developments located directly between existing single-family subdivision developments in the southeast part of the Town at this time (see the Proposed Land Use Map). No other areas have been identified as this time.

2 Housing Goal 2: Reduce and eliminate the potential for land use conflicts between farm and residential uses.

NOTE: Some goals, objectives, and policy recommendations in this plan may be impacted by or subject to statewide livestock operation siting requirements.

2.0 Objective 2.0:

Encourage the location, siting, and design of any new residential development to be conducted in a manner that does not conflict with neighboring uses.

Policies:

- 2.01 Access to Sanitary Sewer Services – Multiple dwellings, lots or residential units (e.g. residential subdivisions) may only be developed in areas where public sanitary sewer service is readily available.
- 2.02 Use of Adequate Buffers Between New Residential Uses and Existing Agricultural Uses – Any new residential development is responsible for providing an adequate buffer on its property between itself and existing farm operations. (Existing farms are not responsible for providing a buffer on their property to aide new residential development on adjacent properties.)
- 2.03 Siting of Residential Uses Away from Livestock Facilities – Discourage new residential uses from being built within ¼ mile of an existing livestock operation or manure storage facility.

2.04 Rezoning of FP-35 (General Farmland Preservation) Exclusive Agricultural Parcels – Any residential uses requested to be located in an area zoned FP-35 (General Farmland Preservation) Exclusive Agriculture must be done in accordance with appropriate zoning regulations and Town subdivision regulations, including single-family homes.

2.05 Preserving Large Agricultural Parcels – Larger agricultural parcels are to be maintained as much as possible when siting residential development in an agricultural area.

2.06 Maintaining Buffers Between Wetlands and Residential Uses – Maintain buffers between existing wetlands and residential uses.

2.07 Maintaining Wetlands as Buffers from Other Natural Areas – Utilize existing wetlands as buffers between uses and as natural habitat for wildlife.

2.08 Preserving Woodlands as Resource Areas – Preservation of woodlands as groundwater recharge areas and erosion control areas are encouraged wherever feasible when siting new residential development.

2.09 Siting Based on Productivity and Compatibility – Any proposed residential development in a primarily agricultural area meeting subdivision requirements should be located on non-productive, non-tillable land that does not significantly threaten or affect natural resources, neighboring properties, existing farm operations, or public safety whenever feasible.

2.1 Objective 2.1:

Encourage the siting of residential uses in a manner that is compatible with existing or potential intensive agricultural uses (e.g. livestock operations and manure storage facilities).

Policies:

2.11 Large Agricultural Parcels - Preserve large, contiguous parcels to allow for potential intensive agricultural uses where feasible and appropriate.

2.12 Agricultural Element - See Agricultural Element of this plan for specific siting recommendations for livestock facilities and residential uses within proximity to each other.

3 Housing Goal 3: Establish clear criteria for evaluating requests to rezone General Farmland Preservation Exclusive Agricultural parcels for residential uses.

3.0 Objective 3.0:

Define the criteria and review procedure for rezoning any parcels currently under General Farmland Preservation Exclusive Agricultural zoning.

Policies:

3.01 Applicable Zoning Ordinances – Any land divided for purposes of building a new single home under the Town’s Land Division and Subdivision Ordinance must be zoned in accordance with relevant zoning requirements (i.e. Dane County or DeForest ETZ).

3.01.1 Zoning for Non-Farm Residential Uses – See 1.08 above. Proposed new residential uses on an Exclusive Agricultural parcel not related to the existing farm operation shall be rezoned to the proper residential zoning classification (based on lot size as defined in the applicable zoning ordinance), not be encumbered as to land uses in any fashion from previous land divisions or rezoning, and reviewed as to its consistency with this comprehensive plan. Such a rezoning shall be in accordance with Town and County procedures and requirements.

3.01.2 Zoning for Farm Related Residential Uses – See Agricultural Element Section

~~3.01.2. Proposed new residential uses on an Exclusive Agricultural parcel that are related to the existing farm operation may retain Exclusive Agricultural status if it can be documented that the new residential use is permanently to be used in relation to the existing farm operation by use of a deed restriction or other legally recognized guarantee.~~

3.02 Single-Family Home Sites and Subdivisions - Proposed new single-family home sites should meet the following criteria:

3.02.1 Siting Based on Land Productivity – A proposed new single-family home site created under the Town Land Division and Subdivision Ordinance should be sited on non-productive or non-tillable land whenever possible. Proposed new home sites located in agricultural preservation areas as identified on the proposed land use map must be at least two acres in size for installation or provision of reserve septic areas.

3.02.2 Minimum Buildable Area – Proposed new home sites (i.e. building area) located in agricultural preservation areas must be at least two acres in size for installation or provision of reserve septic areas. Land divisions for a single-family residential home site must set aside the remainder of the 75 acres to be permanently protected from future development.

3.02.3 Mitigating Impacts to Natural Resources – A proposed new single-family home site should not significantly threaten or affect natural resources, especially groundwater resources.

3.02.4 Siting Based on Compatibility with Neighboring Uses – A proposed new single-family home site should be designed or sited in a manner that is compatible with neighboring agricultural uses or adjacent home sites.

3.02.5 Impacts Relating to Driveways and Public Roads – A proposed new single-family home site must be sited in such a manner as to not create unnecessary multiple driveways, driveways of excessive length, or the need for new public roadways unless otherwise required to meet the other objectives and policies of this plan.

3.02.6 Preference for Grouping Home Sites on Parcels – If a new single-family home site is proposed on a parcel where there is an existing home or homes, it should be located in close proximity to existing homes in such a manner as to minimize impacts on productive agricultural lands whenever reasonable.

3.03 Number of Units per Lot Allowed – New residential development is limited to one unit per lot within the Town.

3.04 Applicability of Land Division and Subdivision Ordinance to Multiple Single-Family Lot Proposals – Proposed multiple (more than one) single-family dwellings, lots or residential units (e.g. residential subdivisions) must meet all Town Land Division and Subdivision Ordinance requirements unless proposed in an adopted urban service area. Any proposed development with multiple (more than one) single-family units (or homes) would be limited to one split per unit (or home) within agricultural preservation areas, and is limited to one unit (or home) per lot. Multi-Family residential uses are strongly discouraged within the Town, including but not limited to duplexes, tri-plexes, four-plexes, and other multiple-unit residential structures such as apartments, condominiums and zero-lot line town homes (Rezones to HAM-M, HAM-R, TRF, and MFR would need to be deed restricted)

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3.05 Utility Availability for Multiple ~~Single-Family~~ Single-Family Lot or Qualified Multiple Single-Family Unit Proposals – Proposals for multiple single-family dwellings, lots or residential units (e.g. residential subdivisions) may only be developed in areas where public sanitary sewer service is readily available and as identified in this comprehensive plan. There

are currently two potential multi-unit single-family subdivision developments located directly between existing subdivision developments in the southeast part of the Town at this time (see the Proposed Land Use Map).

3.06 Fiscal/Economic Impact Analysis – Any proposed residential development that would require a rezoning may be required to complete a fiscal/economic impact analysis on anticipated service costs and revenue generation prior to issuance of a building permit, zoning certificate or other required Town Board approval. Requirements of this analysis will be provided by the Town of Vienna, and will be standardized for all proposed development.

3.07 Impacts Relating to Driveways and Public Roads – Any new residential development that would require a rezoning must be sited in such a manner as to not create excessive driveways or the need for new public roadways unless 1) the development is part of an approved plat or 2) the development has been sited to meet other objectives and policies of this plan.

3.08 Allocation of Splits – If rezoned from General Farmland Preservation ~~Exclusive Agriculture~~, split restrictions on future development on that parcel(s) will remain with that parcel by default unless otherwise agreed upon by the Town.

3.08.1 Additional Restrictions on Parcels - Additional restrictions may be negotiated as a condition of approval from the Town. Any such restrictions will be recorded on the property deed unless otherwise agreed upon between the landowner and the Town.

3.08.2 Waiver of Split Restrictions – Restrictions on splits may also be waived at the discretion of the Town if eliminating such restrictions does not permit development contrary to this land use plan.

4 Housing Goal 4: Work with neighboring jurisdictions to identify the future development of Smart Growth areas for residential development.

Objectives and Policies:

4.01 Smart Growth Areas for the Town – Preserve agriculture and limit residential development in the Town of Vienna as described in previous sections of this plan. (Housing development is not actively promoted within the Town)

4.02 Affordable Housing Policy – Work with neighboring municipalities to plan for opportunities for a range of affordable homes for all incomes, ages, and persons with special needs. (The provision of housing alternatives for a wide array of needs is best addressed in urbanized areas with public utility access.)

4.03 Jointly Plan for Higher Density Housing with Neighboring Municipalities – Work with neighboring municipalities to plan for opportunities for the development or redevelopment of low-income and moderate income housing in urbanized areas with public utility access. (Both Waunakee and DeForest currently have phasing limits on new housing units.)

4.04 Encourage Care of Local Housing Stock – Create and publish an article in the Town newsletter or other media available to the Town to inform residents of resources on home rehabilitation and maintenance.