

**Plan Commission report recommending disapproval of petition R4379A-2022 and Jefferson County Ordinance 2024-20 as it relates to petition R4379A-2022**

**Wis stats 59.69(5)(e)**

- The County Planning and Zoning Committee and the County Board failed to follow proper procedure in considering petition R4379A-2022 when they failed to notify the town that they would be considering the petition. They also failed to hold a public hearing on the petition.

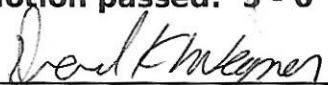
**Wis stats. 91.48:**

- The land is NOT better suited for a use not allowed in the A-1 zoning district.
  - The town finds that the land in question is prime soils abutting existing productive farmland and neighboring residential development. This property due to its prime soils, location, and topography is better suited to use as farmland than to commercial development.
- The rezoning is inconsistent the 2009 & 2022 Town of Concord Comprehensive Land Use Plans
  - **2009 plan, section 8.B.9:** "The Town will limit the establishment of new businesses to areas within the Town of Concord rural hamlet as defined by the 1999 Jefferson County Agricultural Preservation and Land Use Plan"; **section 8.B.10:** "The Town will not support expansion of the current rural hamlet or creation of new rural hamlet areas within the Town." The property in question is outside the hamlet.
  - **2022 plan, section 8.B.6:** "The Town will not approve the establishment of new commercial or industrial zoning (A-2, C, B, I) outside of the hamlet"; **section 8.C.4:** "The Town will not allow rezoning to the A-2 district outside the town hamlet."
- The rezoning is not consistent with the 2021 Jefferson County Agricultural Preservation and Land Use Plan, which defines the A-2 zoning district as "allow[ing] a wide range of agricultural related uses and such other rural businesses that are compatible in a predominately agricultural area" (p. 33). Also, farmland preservation land is defined as follows: "Areas of existing agricultural uses or agricultural-related use that are actively used for farming and are considered agricultural producing lands, that should be *preserved for agricultural or agricultural-related uses through the planning horizon* of the Agricultural Preservation and Land Use Plan" (p. 6). This proposal to rezone this property out of farmland preservation is not related to agriculture nor is it rural in nature.
- The rezoning has the potential to impair farming on the surrounding agricultural land. The parcel in question is location on a hill above surrounding agricultural land. The proposed commercial use will result in the majority of the 7.4 acres being covered with either buildings or gravel. This would have a potential to create excessive runoff to neighboring properties including neighboring farmland.

**The Town of Concord Plan Commission hereby accepts this report and recommends disapproval of petition R4379A-2022 and Jefferson County Ordinance 2024-20 as it relates to petition R4379A-2022**

**Motion by: Jim Gilbert    Second by: Tony Metzger**

**Motion passed: 5 - 0    Date: 2-26-2025**

  
**David Wegner, Plan Commission Chair**