



## **DEVELOPMENT REVIEW PROCESSES WITHIN DeFOREST'S EXTRATERRITORIAL JURISDICTION (ETJ)**

The Village of DeForest exercises review over all land divisions (subdivision plats and certified survey maps) within its extraterritorial jurisdiction or “ETJ.” The ETJ extends up to 1½ miles out from the Village limits. Within the parts of the Village’s ETJ that are in the Towns of Vienna and Burke, the Village also exercises extraterritorial zoning in cooperation with those Towns. The geographic limit of the Village’s ETJ, including areas where extraterritorial zoning is in effect, is shown on the attached map.

The document includes a summary of the types of development proposals the Village reviews within its extraterritorial jurisdiction, and how and by whom they are reviewed. For additional detail, see the Village’s subdivision and zoning ordinances by clicking [here](#). The Village’s Comprehensive Plan, Official Map, and intergovernmental agreements/cooperative plans between the Village and neighboring towns may have further standards. Those documents may be viewed by clicking [here](#).

Before seeking development approval in the Village’s extraterritorial jurisdiction, potential applicants are urged to contact the Village’s Zoning office for a pre-application consultation. This step will almost always save time, money, and frustration—and often leads to a better development project. Development approval application forms and contact information may be found by clicking [here](#).

Towns have development review authority and procedures of their own within the Village’s extraterritorial jurisdiction, which can be understood by contacting the appropriate Town Clerk. Dane County also retains review over land divisions, stormwater management, and erosion control associated with development proposals within the ETJ. The Towns often prefer that applicants begin development approval processes there first, before commencing approval processes at the Village and/or County.

## **1. Land Divisions—Subdivision Plats and Certified Survey Maps (entire DeForest ETJ area)**

### **a. CSM for a “Minor Division” (e.g., lot consolidation, lot line reconfiguration)**

Village Zoning Administrator generally takes final action on behalf of Village within 20 days of complete application.

Town and County CSM approval is also required in the ETJ. Check with Town Clerk and County Planning and Development Department.

### **b. CSM for other types of land divisions (for 4 or fewer lots)**

Village Planning and Zoning Commission takes final action on behalf of Village, within 60 days of a complete application to the Village.

Village Board approval also required if a waiver to a normal Village subdivision ordinance requirement is needed.

Town and County approval is also required. Check with Town Clerk and County Planning and Development Department.

### **c. Subdivision Plat (generally for 5 or more lots)**

**Step 1:** Village Planning and Zoning Commission provides a recommendation to Village Board, following analysis and recommendation from Village staff.

**Step 2:** Village Board takes final action for the Village, within 90 days of a complete application for a preliminary plat and 60 days for a final plat.

Town and County approval is also required in ETJ. Check with Town Clerk and County Planning and Development Department.

## **2. Zoning Map Amendment, also called a Rezoning (Burke and Vienna ETZ area only)**

**Step 1:** Check with Village Zoning Administrator or review the Village Zoning Ordinance to determine whether a proposed change in land use in the Village’s extraterritorial zoning area requires that the land be rezoned and, if so, whether a comprehensive plan amendment may also be required.

**Step 2:** File complete rezoning application with Village Zoning Administrator. The Zoning Administrator will refer the application to the Town Clerk to schedule Town Board recommendation. The Zoning Administrator will also schedule a public hearing before the Extraterritorial Zoning Committee to follow the Town Board meeting date, including publishing of a Class 2 public notice.

**Step 3:** Obtain a Town Board recommendation. The Village Zoning Administrator intends to provide a preliminary analysis of the proposed rezoning to the Town Clerk and applicant before the Town Board meeting date.

**Step 4:** Attend public hearing before the Extraterritorial Zoning Committee.

**Step 5:** Obtain a recommendation from the Extraterritorial Zoning Committee to Village Board. The Committee will make its recommendation only following the public hearing and Town Board recommendation, unless 60 days have elapsed following the public hearing without a Town Board recommendation.

**Step 6:** Obtain final action from the Village of DeForest Board.

### **3. Conditional Use Permit (Burke and Vienna ETZ areas only)**

Step 1: Check with Village Zoning Administrator or review the Village Zoning Ordinance to determine whether proposed change in land use in the Village's extraterritorial zoning area requires a conditional use permit.

Step 2: File complete conditional use permit application with Village Zoning Administrator. The Zoning Administrator will refer the application to the Town Clerk to schedule Town Board recommendation. The Zoning Administrator will also schedule a public hearing before the Extraterritorial Zoning Committee to follow the Town Board meeting date, including publishing of a Class 2 public notice.

Step 3: Obtain a Town Board recommendation. The Village Zoning Administrator intends to provide a preliminary analysis of the conditional use permit request to the Town Clerk and applicant before the Town Board meeting date.

Step 4: Attend public hearing before the Extraterritorial Zoning Committee.

Step 5: Obtain final action from the Extraterritorial Zoning Committee. Any party may appeal this action to the Village Board within 10 days, which is the only circumstance in which Village Board action on a conditional use permit in the extraterritorial zoning area is required.

### **4. Site Plan Approval (Burke and Vienna ETZ areas only)**

Commercial, industrial, multiple family residential, and institutional development projects within the Village's extraterritorial zoning area generally require site plan approval. Check with Village Zoning Administrator or review Village Zoning Ordinance to confirm.

The Village Zoning Administrator will take final action on site plan approval applications for many types of projects, after requesting any individual input from the Town Clerk and Extraterritorial Zoning Committee members. However, final action by the full Extraterritorial Zoning Committee is required instead in one or more of the following instances:

- a. The applicant has indicated a desire for Extraterritorial Zoning Committee action.
- b. Application is filed along with a rezoning or conditional use permit application.
- c. Site plan includes 20,000+ sq. ft. retail or commercial service building.
- d. Site plan proposes public improvements other than driveway or utility lateral connections.
- e. Zoning Administrator is unable to determine whether site plan approval standards in the Zoning ordinance are met.
- f. Review among Village and Town staff reveals differences that cannot be resolved by the Zoning Administrator.

## **5. Zoning Variance (Burke and Vienna ETZ areas only)**

If development proposal does not meet one or more Village Zoning Ordinance requirements, applicant may request a variance to the ordinance requirement(s).

Step 1: File complete variance application with the Village Zoning Administrator, who shall provide the application to the Town Clerk and schedule a public hearing and publish a Class 1 public notice.

Step 2: Attend public hearing before the Board of Zoning Appeals for the Village.

Step 3: Obtain final action from Board of Zoning Appeals, which will consider public hearing testimony including any that the Town elects to submit.

## **6. Zoning Permit, Sign Permit, Building Permit (Burke and Vienna ETZ areas only)**

The Village Zoning Administrator issues zoning permits within the Village's extraterritorial zoning area. A zoning permit demonstrates compliance with the Village zoning ordinance, and often precedes Town issuance of a building permit.

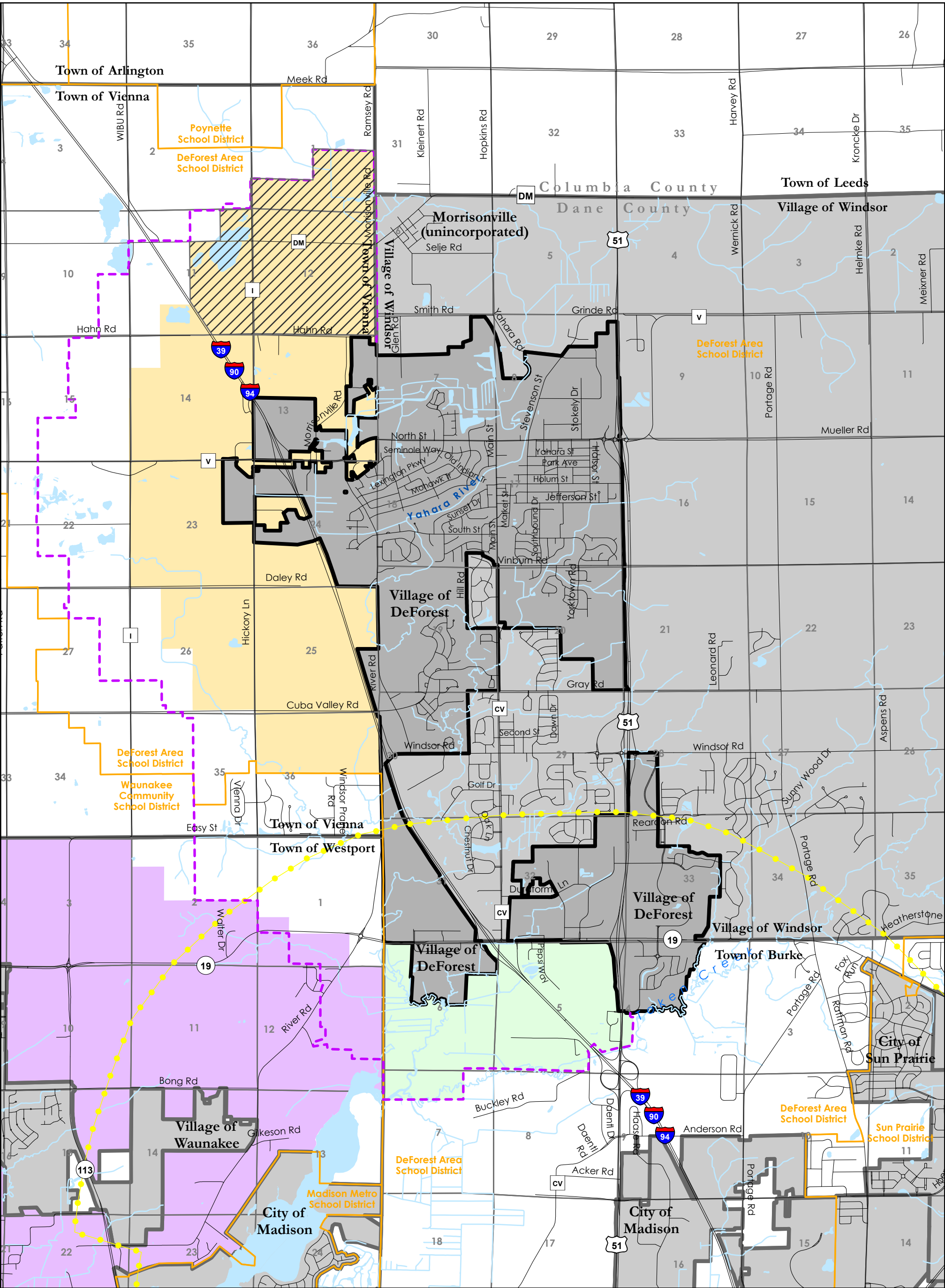
The Village Zoning Administrator also issues sign permits within the Village's extraterritorial zoning area. A sign permit demonstrates compliance with the Village's sign regulations, and often precedes Town issuance of a building permit.


The Towns issue building and driveway permits, which are required to assure that applicable building, electrical, plumbing, and road access codes are met.

## **7. Stormwater Management Permit, Erosion Control Permit (entire DeForest ETJ area)**

Applicant must meet applicable Dane County and WisDNR requirements. Check with the Dane County Land and Water Conservation Department.

Generally there are no separate Village stormwater management and erosion control requirements in the ETJ, but intergovernmental agreements or cooperative boundary plans may specify unique requirements for certain areas.







# Comprehensive Plan


# 1-1

## Jurisdictional Boundaries




0 1,500 3,000 Feet







April 6, 2023  
Source: Dane County UIO, Capital Area RPC, Vierbicher, MDROffers




Cities and Villages




DeForest Village Limits (April 2023)




Other Municipal Boundaries




School District Boundaries




Sections with Section Numbers




Roads




Surface Water




Windsor Review Area (per 2016 Windsor - Vienna Agreement)




Urban Service Area Boundaries




Airport Height Overlay Zone



DeForest Extraterritorial Jurisdiction Boundary



DeForest-Burke Extraterritorial Zoning Area



DeForest-Vienna Extraterritorial Zoning Area



Waunakee-Westport Extraterritorial Zoning Area

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