

CHAPTER 8: LAND USE

Existing and Forecasted Land Use

Existing land uses and historic trends are described below and listed in Table 8-A. Over the past 25 years, cropland and pasture in the town have declined, while woodlands and single family residential uses have expanded.

- *Agriculture:* In 2005, cropland and pasture accounted for 63.75% of the land area of the town. Since 1980, cropland and pasture has declined by 3,530 acres (-19%), while “other open lands” have increased by 2,918 acres. This is likely due to farmers reducing operations on marginal lands, including lands set aside under the federal Conservation Reserve Program.
- *Woodlands:* Woodlands account for 4,158 acres (25.47%) of the land area of the town. Woodlands have also been expanding in Primrose, growing by 844 acres (24.5%) between 1980 and 2005.
- *Residential:* The Town maintains a very low density population, with less than 1% of the Town’s land occupied by residential use. Single-family residential is the prevalent housing type. Land devoted to residential use has grown by 47 acres (29%) since 1980.
- *Commercial:* According to the *2005 Land Use Inventory*, there are no commercial retail, services or industrial uses within the Town of Primrose. This is unchanged since 1980. There are agricultural enterprises, home occupations and limited family businesses within the town, but such uses are not identified in the *Land Use Inventory*, and are normally considered secondary to the principal agricultural or residential use.
- *Other Public Uses:* The predominant public use is roadway right of way, which consumes 735 acres in the Town, 222 acres more than in 1980.

Table 8-A

Town of Primrose					
Acres of Land Use	1970	1980	1990	2000	2005
RESIDENTIAL	310.6	413.3	393.0	144.4	210.6
Single Family	20.2	139.4	137.5	140.8	206.8
Two Family	0.0	3.9	5.0	1.3	1.3
Multi Family	0.0	0.0	0.0	0.0	0.0
Farm Dwelling	283.4	249.8	243.0	0.0	0.0
Group Quarters	0.0	13.5	0.0	0.0	0.0
Mobile Home	7.0	6.7	7.5	2.3	2.5
INDUSTRIAL	0.0	16.5	22.0	22.2	20.4
Manufacturing	0.0	1.1	0.0	0.0	0.0
Wholesale	0.0	0.0	4.8	4.3	4.7
Extractive	NA	15.4	17.2	17.9	15.7

TRANSPORTATION	NA	518.2	676.4	737.1	736.5
Right of Way	517.8	513.8	674.9	736.4	735.8
Railroad	NA	0.0	0.0	0.0	0.0
Other	NA	4.4	1.5	0.7	0.7
COMMUNICATION/UTILITIES	2.8	0.0	0.0	0.0	0.0
Generating Processing	NA	0.0	0.0	0.0	0.0
Transmission	NA	0.0	0.0	0.0	0.0
Waste Processing	NA	0.0	0.0	0.0	0.0
Other	NA	0.0	0.0	0.0	0.0
COMMERCIAL RETAIL	0.0	0.0	0.0	0.0	0.0
General Repair & Maintenance	NA	0.0	0.0	0.0	0.0
Transportation Related	NA	0.0	0.0	0.0	0.0
Other	NA	0.0	0.0	0.0	0.0
COMMERCIAL SERVICES	0.0	0.2	0.5	0.4	0.4
Lodging	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.2	0.5	0.4	0.4
INSTITUTIONAL/GOVERNMENTAL	15.0	10.5	11.3	9.3	9.3
Education	NA	4.1	5.0	4.2	4.2
Administrative	NA	1.1	1.1	0.6	0.6
Cemetery	NA	2.3	3.9	2.9	2.9
Other	NA	3.0	1.3	1.6	1.6
OUTDOOR RECREATION	304.8	2.3	0.0	0.0	0.0
TOTAL DEVELOPED AREA	1,151.0	961.0	1,103.2	913.4	977.2
AGRICULTURE & UNDEVELOPED	21,512.9	21,703.0	21,560.8	21,996.5	21,934.5
Woodlands	NA	3,314.6	3,411.2	4,058.9	4,158.7
Other Open Lands	NA	243.8	282.1	3,157.0	3,162.1
Vacant Unused Lands	NA	0.0	0.0	0.0	3.1
Water	0.0	6.6	1.6	2.8	3.5
Cropland Pasture	NA	18,138.0	17,865.9	14,777.8	14,607.1
TOTAL AREA	22,663.9	22,664.0	22,664.0	22,909.9	22,911.7

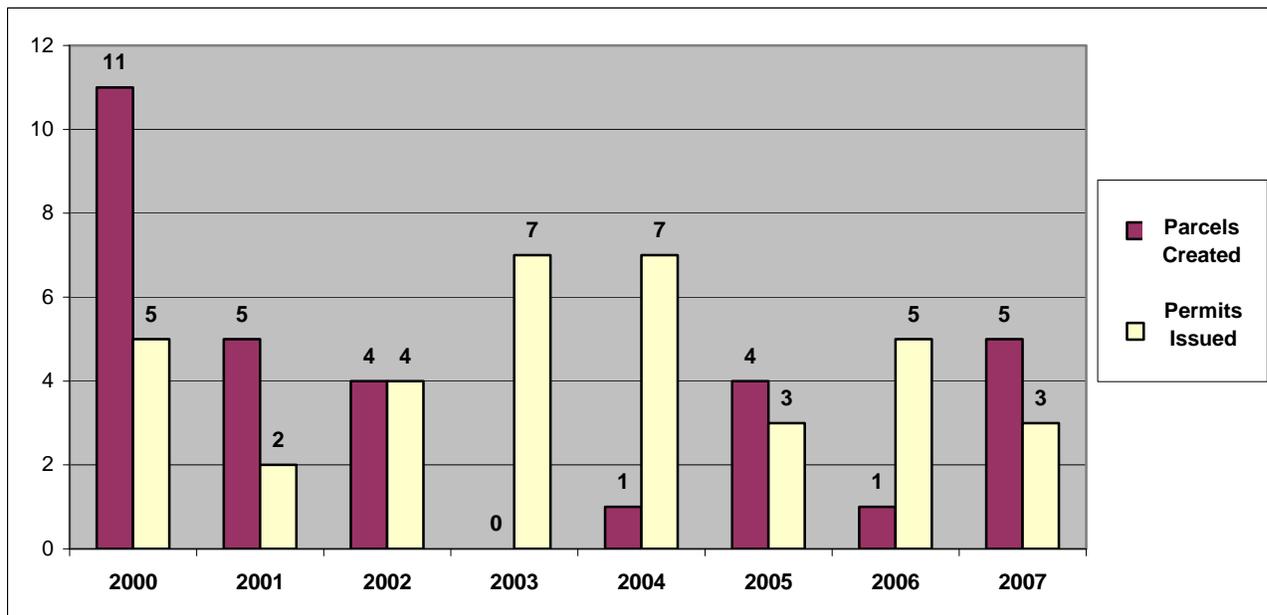
Source: Dane County Regional Planning Commission, 2005

**In 2000, the RPC changed the way agricultural, farm residential and other rural land uses were reported. This causes some discrepancies in farm residences trend data. For a description of these changes, see: Farmland Mitigation Loss Report (CARPC, 2009).*

Supply, Demand and Price of Land

The number of parcels created each year determines the rate of development in the Town. The Town has a density policy that allows 1 split per 35 acres of land owned as of April 28, 1981. Between 2000 and 2007, there was an average of 4 new parcels created each year. Creation of parcels has been by certified survey map, rather than subdivision. See Chart 9 for parcel creation during 2000-2007.

Chart 8-1: Parcel Creation and Housing Permits Issued, 2000-2007.



Source: CARPC Regional Trends Report, 2007

The number of parcels created and housing permits issued has fluctuated from year to year, but aside from a peak of 11 lots created in 2000, has been relatively stable each year (Chart 9). The statistics indicate that demand for non-agriculture related residential development will continue to be satisfied by rural densities permitted under the town’s one unit per 35-acre density policy. Therefore, it is unnecessary for the Town to provide a full range of municipal services now or in the foreseeable future.

The average value of all agricultural land sold in Dane County in 2007 was \$11,430 per acre, down from \$15,754 in 2006. The value of land sold for continued agricultural use averaged \$8,218 per acre, down from \$9,029 in 2006. The value of land sold for non-agricultural use averaged \$23,896 per acre compared to \$18,974 in 2006.

Land Use Projections

Table 8-B shows land use projections for the Town of Primrose from 2010 through 2025. Residential land use projections are based on Wisconsin Department of Administration household projections and single family residential acreage per housing unit as reported in the 2005 Dane County Land Use Inventory and the Regional Trends Report, both published by the Capital Area Regional Planning Commission. Agricultural, commercial and other non residential land uses are based on historic trends between 1980 and 2005.

Table 8-B: Land Use Projections in 5-Year Increments

Land use acres	2010	2015	2020	2025	2030
Cropland / Pasture	13,840	13,078	12,324	11,577	11,545
Woodland / Other Open Space	8,038	8,748	9,452	10,150	10,131
Residential	221	233	243	253	263
Commercial	-	-	-	-	-
Industrial	-	-	-	-	-
Transportation	777	817	856	895	936
Institutional / Governmental	9	9	9	9	9

Source: WI DOA Household Projections, Dane County Regional Trends Report, Dane County Land Use Inventory 2005.

Land Use Conflicts

Land use conflicts in the town can arise from poorly planned residential development that is incompatible with nearby agricultural and open space uses.

The *Town of Primrose Comprehensive Plan* seeks to minimize such conflicts by:

- limiting the overall density of non-farm residential development in agricultural areas;
- establishing siting and design guidelines;
- redirecting more intensive uses to areas with appropriate municipal services, and;
- supporting intergovernmental cooperation and planning.

Opportunities for Redevelopment

Approximately 4% of the town is developed, so there are very limited opportunities for redevelopment.

Land Use Goals, Objectives and Policies:

The Town of Primrose is blessed with a diverse rural landscape that includes farms, woodlands, natural river valleys and hillsides. Residents value the rural lifestyle and environmental resources such as Mount Vernon and Door Creeks, and Primrose Brook. Over 70% of respondents to the town comprehensive plan survey felt that it was “essential” or “very important” to protect streams, air quality, wildlife habitat, farmland, wetlands and woodlands. The following land use goals, objectives, and policies reflect these desires and are designed to ensure the long term quality of life in the Town by preserving farmland, protecting environmental resources, and respecting the property rights and responsibilities of landowners.

I. General Land Use

A. Goals:

1. Preserve the productive farmlands in the town for continued agricultural use.
2. Prevent conflicts between incompatible uses.
3. Protect the natural environment.
4. Maintain the rural character of the town.

B. Objectives:

- a) Discourage land uses which conflict with agriculture and the rural character of the town.
- b) Limit nonfarm development according to density and siting criteria described in this plan.
- c) Protect, maintain and restore unique natural resources such as wetlands, floodplains, hydric soils, steep slopes, woodlands and productive farm soils.
- d) Recognize the environment as an integrated system of land, water and air resources, the destruction or disturbance of which can adversely affect the community by creating hazards, destroying important public resources, or wasting productive lands and renewable resources.
- e) Control public costs for roads and services associated with development.

C. Policies & Programs – General Land Use

1. Provide a sufficient supply and mix of land uses to satisfy Town land use objectives.

2. Follow the recommendations and requirements of this Plan when making land use decisions.
 3. Redirect high-density residential land uses, or other commercial or industrial development usually associated with an urban land use pattern to a designated Urban Service Area .
 4. Minimize development impacts on productive agricultural lands, or those lands with a history of productive farming activity.
 5. Limit non-farm residential development to those areas that are not classified as productive farmland.
 6. Require agencies and bodies responsible for the location of public improvements such as roadway corridors, pipelines, or power lines to recognize and comply with the agricultural land preservation objectives of the Town.
 7. Promote state and local programs that encourage farming, or investment in farming, within the Town.
- D. **Town Land Use Planning Areas (Map 8-1):** The Town has adopted the following 3 proposed planning areas to meet the Town's land use goals and objectives over the 20 year planning period:
- Agricultural Preservation Area
 - Resource Protection Corridor
 - Public Lands Area

II. **Agricultural Preservation Area**

A. **Purpose:**

The Town has established the Agricultural Preservation Area, as shown on the Planned Land Use Map (Map 8-3), as a means of preserving agricultural lands and rural character throughout the Town while providing opportunities for limited non-farm development. This designation will also serve to promote continued investment in agricultural operations by ensuring that



incompatible land uses are directed to areas that will minimize interference with farming activities. The primary land use policy within this district is the density policy, which limits the density of residential development to one dwelling unit per 35 acres. This district encompasses the most land within the town and includes productive farmlands, farm dwellings and other agricultural land uses, pastureland, woodlots, and scattered non-farm single-family dwellings. The policies for this district allow for a limited amount of non-farm residential and commercial development in keeping with the overall goals and objectives of the Town to preserve agriculture and rural character.

B. **Objectives:**

- a) Continue to maintain and encourage production agriculture, agricultural-related businesses, forestry, open space, and compatible uses.
- b) Protect farm operations from the encroachment of incompatible uses.
- c) Limit nonfarm development consistent with town density policies.
- d) Direct nonfarm development away from productive agricultural lands.
- e) Maintain and promote eligibility for county, state and federal programs, grants, incentives, cost-share funding and tax credits designed to support farming and maintain land in agricultural use.

C. **Appropriate Zoning Districts:**

- A-1[ex] (Exclusive Agriculture)
- A-4 (Small-Acreage Agriculture)
- A-B (Agricultural Business)

- CO-1 (Conservancy)
- RE-1 (Recreational)

For nonfarm development permitted under town density & siting policies:

- A-2, A-2(1), A-2(4), A-2(8) (Agriculture)
- RH-1, RH-2, RH-3 (Rural Homes)
- LC-1 (Limited Commercial), with appropriate conditions as needed to meet the objectives of this plan.

D. Policies & Programs – Agricultural Preservation Area:

1. **Density Policies** – Within the Agricultural Preservation Area, the density policies will serve as the primary tool for meeting the town’s land use objectives to maintain rural character and preserve agricultural land. The density policy limits the amount of non-farm development and will be used to guide Town decisions when considering rezones out of the A-1EX district. Density limitations shall apply to residential development, and to other forms of development, including;
 - non-farm commercial development created after the date of adoption of this comprehensive plan, and;
 - sales of land or easements to public entities unless otherwise indicated in sales contracts, deeds, or recorded agreements.

After the adoption of the *Town of Primrose Comprehensive Plan*, when proposing nonfarm development, landowners may choose from one, but not both, of the following density options:

- a) **Density Option A:** The density of non-farm development is limited to one non-farm use (also referred to herein as, “split” or “density unit”) per 35 contiguous acres held in single ownership as of April 28, 1981.

Example: The density standard of one dwelling unit or non-farm use per 35 acres of land owned as of April 28, 1981 means that a 140-acre farm as of that date would be eligible for up to 4 new lots for non-farm development if all other plan policies were met. This policy is not meant to require or encourage 35-acre dwelling unit lots; rather landowners are encouraged to create smaller clustered dwelling unit lots that meet the siting criteria of this plan.

- (1) **Option A Siting Criteria:** All new or expanded building sites, driveways and public or private roads developed under Density Option A must comply with all of the following:

- (a) Be entirely on pasture or woodlands as determined as of 1981, and such lands cannot have been cropped since 1981.
 - (b) Minimize conflicts with existing agricultural use.
 - (c) Avoid any disturbance of lands determined appropriate for long term agricultural preservation based on:
 - (i) Dane County LESA Group I, II, or III soils;
 - (ii) Historical cropping activity;
 - (iii) Commitment of owner to continued agricultural use;
 - (iv) Degree of investment in agricultural operations
 - (v) Natural features, such as significant native woodlands or grasslands, and;
 - (vi) Adjacent land uses.
 - (d) All general siting criteria described in 2. below.
- b) Density Option B: The density of non-farm development is limited to one non-farm use (also referred to herein as, “split” or “density unit”) per 70 contiguous acres held in single ownership as of April 28, 1981.

Example: The density standard of one dwelling unit or non-farm use per 70 acres of land owned as of April 28, 1981 means that a 140-acre farm as of that date would be eligible for up to 2 new lots for non-farm development if all other plan policies were met. This policy is not meant to require or encourage 70-acre dwelling unit lots; rather landowners are encouraged to create smaller clustered dwelling unit lots that meet the siting criteria of this plan.

- (1) Option B Siting Criteria: Landowners may cross historically cropped lands to reach pasture or woodlands with a residential driveway if all of the following criteria are met:
- (a) The landowner records with the Dane County Register of Deeds either a deed restriction document or a conservation easement that prohibits nonfarm development on 70 acres of agricultural land for each nonfarm lot created. The town will also record deed notice documents on the entire 1981 farm indicating that further nonfarm development on the original farm is limited to no more than one unit per 70 acres.
 - (b) Deed restrictions or conservation easements must run in favor of, at a minimum, both the Town of Primrose and Dane County Boards of Supervisors.
 - (c) Additional, restricted, density units not used for proposed nonfarm development may be transferred to other properties if the town develops a Transfer of Development Rights (TDR) program, or may be sold as part of a future town Purchase of Development Rights (PDR)

program, but may not be used for additional development on the original farm.

- (d) Driveways shall not cross more than 300 linear feet of historically cropped lands to access an appropriate building site.
 - (e) All new or expanded building sites, driveways and public or private roads developed under Density Option B shall comply with all general siting criteria described in 2. below.
- c) **Subdivision Plats:** Subdivision plats (defined in Chapter 75, Dane County Code as 5 or more lots less than 35 acres in size created within 5 years) are not permitted in Agricultural Preservation Areas.
- d) **Rounding:** The town's density limitation is meant literally, with no rounding up of fractional density units permitted. For example, a 4/28/1981 farm unit totaling 56 acres would be eligible for no more than one nonfarm development site ($56 / 35 = 1.6$, truncated to 1).
- e) **Determining original 4/28/1981 farm units:** The Town will utilize the 1981 Land Atlas and Plat Book for Dane County by Rockford Map Publishers, Inc., as a guide to determining original farm ownership and acreage as of April 28, 1981. Parcel size will be based on gross acreage, which includes road and other public rights of way, as calculated by the Dane County GIS system. Landowners or applicants for rezoning proposals may submit more detailed information for consideration, such as recorded deeds or surveys.

An original farm unit, or base farm tract, is defined as contiguous lands in single ownership as of April 28, 1981. For the purposes of this policy, single ownership is defined as parcels owned by one individual or by a married couple, partnership, or corporation including that individual. Parcels interrupted by roads, other public rights-of-way, or by navigable waterways shall be considered contiguous for the purposes of calculating allowable density. Parcels meeting at a single point shall be considered contiguous.

For A-1(exclusive) zoned parcels determined by the Dane County Department of Planning and Development to qualify for a building site under s. 10.16(3)(a), Dane County Code, Policy (j) below will apply. Acreage of nonconforming parcels under s. 10.16(3)(a), Dane County Code, shall be deducted from the total acreage of the original farm unit, or base farm tract,.

- f) **Eligible lands:** When calculating original farm acreage and eligible density units, all property under single ownership within the Agricultural Preservation Area shall be included. This includes land under water, within mapped wetlands, floodplains, or environmental corridors.

g) **Farm residences:**

- (1) Existing primary farm residences built before April 28, 1981 and on A-1 (exclusive)-zoned parcels 35 acres or larger shall not count against this density policy. A primary farm residence is the main farm house on an original farm unit, or base farm tract, usually with the buildings, that was occupied by someone who was farming the land that he or she owned as of April 28, 1981. There will be no more than one primary farm residence per original farm unit, or base farm tract.
- (2) All existing residences, other than primary farm residences, shall count against this density policy.
- (3) Separation, by certified survey map and rezone, of residences, including separated primary farm residences, built prior to April 28, 1981 shall count against this density policy.
- (4) All residences built after April 28, 1981, including residences for farm owners or operators under sections 10.123(3)(b) and (bm), Dane County Code, shall count against the density policy.

h) **Duplexes:** Zoning for the construction of new duplex or two-family homes or for the conversion of existing large houses to duplex use will be considered, if the following criteria are met:

- (1) Any existing house must have a total floor area of at least 1,800 square feet.
- (2) The Public Health agency of Madison and Dane County confirms that the private onsite wastewater treatment system is adequately sized, installed and maintained to accommodate duplex use.
- (3) The duplex structure will count as two density units under the density limitation.

“Dependency living arrangements,” as defined in ss. 10.01(19a) & (19b), Dane County Code, and allowed under a conditional use permit, are not considered a duplex under this policy and do not count as an additional density unit.

i) **Land transfers after April 28, 1981 and allocation of density units:** Land sales of over 35 acres occurring after April 28, 1981, do not result in new allotments of density units. When land sales of more than 35 acres occur after April 28, 1981 without *clear documentation* or recorded agreement between buyer and seller, or subsequent/current owners, regarding any transfer of splits or density units, the Town shall utilize the following guidelines when considering allocation of any remaining density unit(s):

- (1) Landowners are encouraged to make clear in recorded documentation, such as a sales contract or warranty deed, that a density unit is being transferred or retained when selling tracts of land over 35 acres. The Town may request that any supporting documentation be included with development or rezone proposals. Supporting documents may include, but are not limited to, sales contracts, warranty deeds, affidavits, and written agreements.
 - (2) Landowners who combine portions of different April 28, 1981 farm parcels in order to obtain over 35 acres are not entitled to a nonfarm density unit.
 - (3) Proportional allocation: In the absence of clearly understood supporting documentation, any remaining splits will be allocated on a proportional basis among current owners of the April 28, 1981 farm unit in keeping with the Town's density policies. Under no circumstances shall the density standard be exceeded on the April 28, 1981 farm unit.
- i) **Transfers of development rights:** Transfers of density units between original April 28, 1981 farm units are not permitted. The town board and planning commission will consider adopting a permanent, comprehensive Transfer of Development Rights program as a future amendment to the *Town of Primrose Comprehensive Plan*. Such a program should meet the following criteria:
- Consistent with any countywide Transfer of Development Rights ordinance and implementation program adopted by Dane County.
 - Supports and complements any existing or future Purchase of Agricultural Conservation Easements (PACE) or Purchase of Development Rights (PDR) programs developed by the county, local, state or federal governments.
 - Provides for voluntary participation and flexibility for town government and individual landowners.
 - Encourages inclusion of working farmlands, large woodlands and natural resource areas under permanent conservation easement.
 - Includes review and consideration of potential impacts to the town's tax base and potential for collaborating with other municipalities.
- j) **Substandard A-1EX parcels under 35 acres as of April 28, 1981:** The following policies apply to parcels zoned A-1EX less than 35 acres in size that meet the criteria for a building site under s. 10.16(3)(a), Dane County Code. The town will require a Parcel Status Determination report from the Dane County Department of Planning and Development before approving rezones, land divisions or building permits on any substandard parcel.
- (1) Existing uses on substandard parcels less than 35 acres as of April 28, 1981 shall be permitted to continue as non-conforming uses. The Town may permit rezoning of such parcels to bring the pre-existing use into compliance with the county zoning ordinance, provided that such use is consistent with the overall goals and objectives of this Plan.

- (2) Vacant, legal, substandard (sometimes referred to as “non-conforming”) A-1EX zoned parcels between 4 and 35 acres in size in existence since April 28, 1981 are permitted to rezone to an appropriate district to allow for one single-family home, providing siting criteria are met. Such parcels may not be divided.
 - (3) Substandard, legally created A-1EX zoned parcels between 4 and 35-acre parcels, with an existing residence, may not be divided.
 - (4) Illegally created substandard parcels are not permitted to divide.
 - (5) Illegally created substandard parcels with an existing residence may be permitted to rezone to an appropriate district to bring the parcel into compliance, provided the parcel complies with all density and siting criteria of this plan.
- k) **When density units are exhausted:** When eligible density units for an original April 28, 1981 farm have been exhausted, the town shall require the recording of a deed restriction that prohibits further residential development on the balance of the property. Portions of the property intended to remain in agricultural use shall be zoned A-1EX or A-4.
2. **Development siting standards & criteria:** The Town shall use the following siting standards and criteria when reviewing proposed non-farm rezones or development, land divisions under county and town land division ordinances, and building siting under the town building permit ordinance.
- a) **Site plan review:** The Planning Commission must approve a site plan for all proposed nonfarm development within the Agricultural Preservation Area. Site plans should show the layout of the proposed lot(s), the location and use of proposed buildings, parking area(s), significant natural features, existing and proposed vegetation and driveway access. Site plans must, in the opinion of the Planning Commission, meet all of the following objectives:
- (1) Agricultural lands, woodlands and other natural resources are to be protected. Site plans should minimize the break-up of contiguous tracts of agricultural land, woodlands or environmentally sensitive land.
 - (a) Unless exempted under d) below, residential buildings shall not be located on historically cropped lands.
 - (b) Residential buildings, driveways, public or private roads and out buildings shall be located on pastures, woodlots, or on the edge of woodlots.
 - (c) No more than 30% of existing woods on a lot can be cut for the building site and driveway.
 - (d) New buildings, driveways and public or private roads must comply with Resource Protection Corridor policies.

- (2) Siting should protect the rural character of the township.
 - (a) Proposed buildings and uses create minimal conflict with neighbors.
 - (b) New driveways, houses or outbuildings will be located a minimum of 500 feet away from adjacent farm buildings and residences, unless the adjacent residence is the property of the person proposing the new building or is a new residence that is part of a “cluster development.” At the discretion of the town board and planning commission, balancing various competing goals and objectives of the town plan, exceptions to this rule may sometimes be allowed. Such exceptions might include situations such as the following:
 - (i) where the enforcement of the rule is impossible because the parcel is too small;
 - (ii) where the placement of the new driveway in accordance with the rule would disturb important natural resources such as agricultural land, or;
 - (iii) if the adjoining landowner has no objection to the structure being placed close to his or her property than the rule would require.
 - (c) Buildings are to be sited and designed to minimize visual impact when viewed from existing houses and public roads. Buildings are to be hidden from Town roads whenever possible.
 - (d) On properties with exposed hilltops or ridges, roof lines cannot extend above the hilltop or ridge line, if possible.
 - (e) Natural vegetation should be left in place to screen new buildings. Where natural vegetation is not present, screening by plantings, berms, or other features may be required to mitigate the impact of residential development.

b) Lot size:

- (1) Within the Agricultural Preservation Area, the minimum parcel size for proposed new lots shall be 2 acres. Nonfarm zoning parcels shall be the minimum size necessary to accommodate the proposed use, while meeting town driveway standards, minimum road frontage and other criteria of the town comprehensive plan. *NOTE: The town’s density policy does not require 35-acre or 70-acre residential lots.*
- (2) Nonfarm development in woodlands of greater than 20 contiguous acres existing as of 1981, requires a lot size of at least 10 acres.

c) Driveways and roads:

- (1) New driveways and roads shall be the minimum length necessary to access the site.
- (2) All driveways shall be designed and located to be suitable for emergency vehicle access and safe access onto existing roadways.
- (3) Driveways must comply with the Town Driveway Ordinance, County or State Highway access requirements, as applicable.
- (4) Contractors shall be required to use erosion control measures and return lands to a near normal setting after completion of construction. The Town may require an erosion control and/or stormwater management plan or a preliminary review letter meeting county ordinance standards as a condition of approval. For driveways longer than 125 feet in length, the town will require proof of compliance with county erosion control and stormwater regulations before a driveway permit will be issued.

d) Exceptions for Farmer Retirement Homes:

If a farmer has owned and operated a farm in the Township of Primrose for at least 10 years and wants a lot for retirement and as of the adoption of the *Town of Primrose Comprehensive Plan* has density units available, but would have no feasible buildable lots under these siting criteria, the farmer can have one lot for retirement in agricultural land, or a driveway that crosses agricultural land to reach a suitable building site. All other siting criteria, ordinances, policies, etc. must be met.

e) Additional Criteria: At the discretion of the Planning Commission, additional standards may be required for certain types of development, such as, but not limited to, proposed commercial development, or horse boarding facilities. Additional criteria may include, as appropriate:

- (1) Manure storage plans and/or farm conservation plans approved by the Dane County Land Conservation Division
- (2) Existing or proposed sanitary systems must be adequately sized to meet the proposed use and meet all current requirements of COMM 83, Wisconsin Administrative Code and Chapter 46, Dane County Code.
- (3) Erosion control and stormwater permits under Chapter 14, Dane County Code.

3. **Commercial Development:** The Town shall follow the following policies regarding proposed new, or expansion of existing, commercial development within the Agricultural Preservation Area:

- a) To allow limited commercial development as is needed to support existing agricultural activities, provide supplemental income for farm families or provide agricultural-related services. Commercial development must not result in environmental degradation, inappropriate traffic volumes or conflict

with farming operations. Commercial uses will be limited to those allowable under the A-B district, LC-1 district or as conditional uses in the Agricultural or Rural Homes Zoning Districts.

- b) To limit rezoning to that portion of land which is necessary for the commercial use contemplated.
- c) To avoid any substantial expenditure of public funds and the incurrence of municipal debt for the construction or provision of municipal improvements and services usually associated with commercial development.
- d) To avoid speculation and ensure compliance with previous policies, the applicant must request a specific use. Due to the permitted uses in the A-B Agri-Business and LC-1 Limited Commercial districts, the Town may require a condition on the rezoning to allow only the specific use as delineated on an approved site plan. This allows the Town to set specific limits and to review any expansion or new uses.
- e) Any rezone to allow nonfarm commercial use shall count against the town density policy.

3. **Mineral Extraction** – Within the Agricultural Preservation Area, the town will consider Conditional Use Permits for new or expanded mineral extraction operations that:

- are consistent with the goals and objectives of the *Town of Primrose Comprehensive Plan*;
 - are consistent with agricultural use and farmland preservation, and;
 - adequately protect public safety, rural character and the environment.
- a) Applicants for a new or expanded mineral extraction operation must meet with the town Plan Commission prior to filing a Dane County Zoning conditional use permit (CUP) application. Contact the town Plan Commission secretary to have the proposal placed on the agenda for the next available Plan Commission meeting.
 - b) At least two weeks prior to the scheduled meeting with the town Plan Commission, applicants should complete and provide to the town Plan Commission secretary and the Town Clerk the following documents:
 - (1) all completed application materials, including site plans and reclamation plans, required by the Dane County Department of Planning and Development for a mineral extraction CUP, and;
 - (2) the Town of Primrose Mineral Extraction Questionnaire.
 - c) Prior to the scheduled Plan Commission meeting, applicants should review and understand the list of standard conditions for mineral extraction CUPs provided by the Dane County Department of Planning and Development, as well as the reclamation standards required under Chapter 74, Dane County Code. Proposed land uses after reclamation must be consistent with the Town of Primrose Comprehensive Plan, including density policies.

- d) Copies of required application materials, the town questionnaire and standard conditions are contained in Appendix 1.
- e) After the applicant files a conditional use permit with Dane County, the Plan Commission may recommend appropriate conditions to the town board based on the Mineral Extraction Questionnaire, county standard conditions and any public input received. At its discretion, the Plan Commission may choose to delay making a recommendation to the town board until after the county public hearing.
- f) The town will work with owners of old extraction sites, neighbors and the Dane County Zoning Division to encourage clean-up and reclamation of abandoned and nonconforming mineral extraction sites.

III. Resource Protection Corridors

A. **Purpose:**

The Town has established Resource Protection Corridors, as shown on the Planned Land Use Map (Map 8-3), to preserve and enhance unique and sensitive natural resources within the Town.

This district applies to:

- 100-year floodplains,
- wetlands,
- hydric soils,
- Groups I & II Farm Soils under the Dane County Land Evaluation and Site Assessment classification (LESA), and;
- steep slopes exceeding 25% grade.

Non-farm development within the Resource Protection Corridor, as shown on the Planned Land Use Map, is generally prohibited, except as specifically provided below.



Where there are disputes over mapped wetlands, floodplains or onsite soil conditions, the town plan commission and town board may refer to detailed studies derived from onsite field conditions to determine actual Resource Protection Corridor boundaries. Any such study must be reviewed and approved by the Wisconsin Department of Natural Resources, the Federal Emergency Management Agency, the Dane County Zoning Administrator, or the Dane County Land Conservation Division, as appropriate. Developers bear the burden of proof that mapped Resource Protection Corridors are in error.

B. **Objectives:**

- a) Protect and improve the quality of the surface and ground waters within the town.
- b) Protect important local resources such as: floodplains, wetlands, significant woodlands, steep slopes and historic and archaeological sites.
- c) To encourage the use of soil conservation practices and the sustainable management of woodlands.
- d) Protect health, safety, welfare and the natural environment.
- e) Encourage sustainable management, enhancement and restoration of resource corridors and their ecological function.

C. **Appropriate Zoning Districts:**

- CO-1 (Conservancy)
- A-1[ex] (Exclusive Agriculture)

- A-4 (Small-Acreage Agriculture)
- RE-1 (Recreational)

D. Policies & Programs – Resource Protection Corridor

1. Maintain in agricultural, conservation or open space use.
2. Require erosion control and soil and water conservation practices for all land-disturbing activities.
3. Prohibit new structures, buildings or urban development and limit impervious surfaces. Provided all applicable county and state erosion control, stormwater, shoreland, wetland, floodplain and stream crossing regulations are met, the following may be permitted in the Environmental & Resources Protection District:
 - a) Expansion or improvement of existing accesses or driveways, if necessary to meet current town driveway standards.
 - b) Replacement of existing structures, unless prohibited by Dane County ordinance, or by state or federal law.
4. Support county shoreland & wetland zoning, floodplain, erosion control and stormwater ordinances.
5. Support programs to restore natural vegetation, remove invasive species and improve habitat.

IV. **Public Lands Area**

A. **Purpose:**

The Town has established the Public Lands Area, as shown on the Planned Land Use Map (Map 8-3), to coordinate with public and nonprofit entities owning land in the town. The Town of Primrose contains lands owned by the Wisconsin Department of Natural Resources and Dane County.



B. **Objectives:**

- a) Guide future decision-making with regard to lands owned by public agencies or purchased with public funds.
- b) Ensure town input on future land use decisions, acquisitions or dispensations of public lands.
- c) Coordinate with local, county, state, federal and nonprofit agencies purchasing lands in the town.

C. **Appropriate Zoning Districts:**

- CO-1 (Conservancy)
- A-1[ex] (Exclusive Agriculture)
- A-4 (Small-Acreage Agriculture)
- RE-1 (Recreational)

D. **Policies & Programs – Public Lands Area**

1. Work with public agencies owning land in the Town and develop agreements on future use of existing public lands.
2. Actively participate in future updates to the Dane County Parks and Open Space Plan, and state and federal public lands programs.
3. Develop procedures for future land acquisitions by public agencies that provide opportunities for adequate input from citizens and recognition of the goals, objectives, and policies of this Plan.
4. Encourage land uses that are compatible with natural resource preservation and protection.
5. Encourage public recreational opportunities for Town residents on publicly owned lands.