

CHAPTER 8: LAND USE

I. Existing and Forecasted Land Use

Existing land uses and historic trends are described below and listed in Table 8-A. Over the past 20 years, cropland and pasture in the town have declined, while woodlands and single family residential uses have expanded.

Agriculture

In 2020, cropland and pasture accounted for 58.6% of the land area of the town. This is a decrease of 1,358 acres since 2000. Conventional farm practices are employed to raise corn, soybeans, and dairy as well as other livestock and crops. Since 1990, cropland and pasture has declined by 4,446 acres.

Woodlands

Woodlands account for 17.6% of the land area of the town. Woodlands have been declining in Primrose, decreasing by 23 acres (0.6%) between 2000 and 2020.

Residential

The Town maintains a relatively low-density population, with 1.3% 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 153 acres, which is more than double the amount in 2000.

Commercial

Commercial retail, services and industrial uses play a very small part of the Town's total land use, totaling only 4 acres (less than 1% of the town's land area). At this time the Town contains only one commercial operation which is a farm supply retail store.

Other Public Uses

The predominant public use is transportation infrastructure, which consumes 723.3 acres in the Town. Roadways account for the bulk of this land use.

Table 8-1 Land Use by Acreage 2000-2020

Acres of Land Use	2000	2005	2010	2015	2020
RESIDENTIAL	144.4	210.6	211.4	293.5	297.7
Single Family	140.8	206.8	211.4	212.5	247.7
Two Family	1.3	1.3			0.0
Multi Family	0.0	0.0			0.0
Farm Dwelling	0.0	0.0		81.0	50.0
Group Quarters	0.0	0.0			0.0
Mobile Home	2.3	2.5			0.0
INDUSTRIAL	22.2	20.4	1.6	0.0	0.0
Manufacturing	0.0	0.0			0.0
Wholesale	4.3	4.7			0.0
Extractive	17.9	15.7	1.6		0.0
TRANSPORTATION	737.1	736.5	726.7	728.6	732.3
Right of Way	736.4	735.8	726.7	728.6	731.3
Railroad	0.0	0.0			0.0
Other	0.7	0.7			1.1
COMMUNICATION/UTILITIES	0.0	0.0	1.5	1.5	0.2
Generating Processing	0.0	0.0	1.3	1.3	0.0
Transmission	0.0	0.0	0.2	0.2	0.2
Waste Processing	0.0	0.0			0.0
Other	0.0	0.0			0.0
COMMERCIAL RETAIL	0.0	0.0	0.0	3.2	4.1
General Repair & Maintenance	0.0	0.0			0.0
Transportation Related	0.0	0.0			0.0
Other	0.0	0.0		3.2	4.1
COMMERCIAL SERVICES	0.4	0.4	0.0	0.0	0.0
Lodging	0.0	0.0			0.0
Other	0.4	0.4			0.0

Acres of Land Use	2000	2005	2010	2015	2020
INSTITUTIONAL/GOVERNMENTAL	9.3	9.3	6.2	6.2	5.2
Education	4.2	4.2			0.0
Administrative	0.6	0.6	1.4	2.4	0.0
Cemetery	2.9	2.9	3.8	3.8	3.8
Other	1.6	1.6	1.0		1.4
OUTDOOR RECREATION	0.0	0.0	22.8	22.8	1.4
TOTAL DEVELOPED AREA	913.4	977.2	970.2	1,055.8	1,040.9
AGRICULTURE & UNDEVELOPED	21,996.5	21,934.5	21,941.2	21,855.7	21,870.3
Woodlands	4,058.9	4,158.7	4,185.3	4,047.4	4,036.0
Other Open Lands	3,157.0	3,162.1	5,139.4	4,422.3	4,211.2
Vacant Unused Lands	0.0	3.1		21.9	19.4
Water	2.8	3.5	192.0	179.1	184.0
Cropland Pasture	14,777.8	14,607.1	12,424.5	13,185.0	13,419.7
TOTAL AREA	22,909.9	22,911.7	22,911.4	22,911.5	22,911.2
% developed area of total area	4.0%	4.3%	4.2%	4.6%	4.5%

Source: Dane County Planning & Development and CARPC (Land Use Inventory), 2022.

In 2010 CARPC changed the way agricultural, farm residential and other rural land use were reported. For a more detailed description, see the Farmland Loss Mitigation Report, CARPC, 2010.

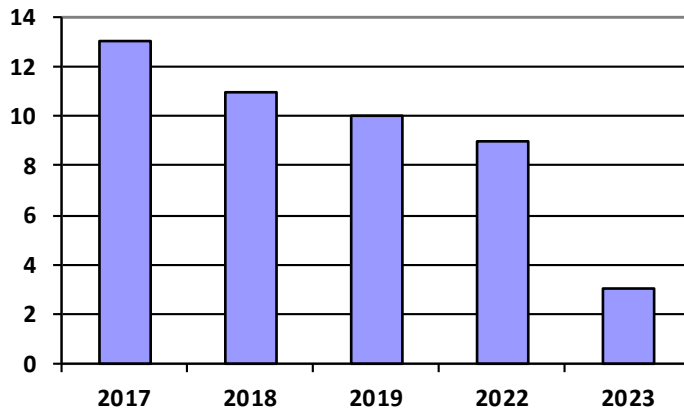
II. Supply, Demand and Price of Land

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 contiguous land owned as of April 28, 1981.

In the Town of Primrose there were 4 zoning permits issued in the year 2023 (single family residence, replacement residence, agricultural building and house remodel). There were 11 zoning permits issued in the year 2022, 11 zoning permits issued in the year 2021, and 9 zoning permits issued in the year 2020.

There were 2 rezones in 2023 that were out of farmland preservation, 4.4 acres in total, and there were also 4 rezones in 2022 that were out of farmland preservation 12.7 acres in total.

Chart 8-1 Rezones out of Farmland Preservation



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.

III. Land Use Projections

Table 8-2 shows land use projections for the Town of Primrose from 2020 through 2040. 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 2020 Dane County Land Use Inventory. Agricultural, commercial and other non residential land uses are based on historic trends between 2000 and 2020.

Table 8-2: Land Use Projections in 5-year Increments

Land Use	2020	2025	2030	2035	2040
Cropland / Pasture	13,419.7	13,400.7	13,396.6	13,394.5	13,394.5
Woodland / Other Open Lands / Water	8,431.2	8,431.2	8,431.2	8,431.2	8,431.2
Transportation / Communication / Utilities	732.5	732.5	732.5	732.5	732.5
Residential	297.7	316.7	320.8	322.9	322.9

Land Use	2020	2025	2030	2035	2040
Vacant / under construction	19.4	19.8	20.1	20.5	20.9
Institutional / Governmental	5.2	5.3	5.4	5.5	5.6
Commercial	4.1	4.2	4.3	4.4	4.4
Outdoor Recreation	1.4	1.4	1.4	1.4	1.5

Source: WI DOA Household Projections, Dane County Land Use Inventory 2020.

IV. 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;
- commercial development that generates excessive traffic, or is generally incompatible with the rural character of the town, and/or;
- incompatibilities between town, county and city or village plans.

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;
- limiting the nature and scope of commercial activities to those compatible with existing uses;
- redirecting more intensive uses to areas with appropriate municipal services, and;
- supporting intergovernmental cooperation and planning.

V. Opportunities for Redevelopment

Approximately 4.6% of the town is developed, so there are limited opportunities for redevelopment.

VI. 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.

A. General Land Use

1. 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.

2. Objectives:

1. Discourage land uses which conflict with agriculture and the rural character of the town.
2. Limit nonfarm development according to density and siting criteria described in this plan.
3. Protect, maintain and restore unique natural resources such as wetlands, floodplains, hydric soils, steep slopes, woodlands and productive farm soils.
4. 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.
5. Control public costs for roads and services associated with development.

3. 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.

B. Town Land Use Districts (Maps 8-3, 8-4):

The Town has adopted the following 3 proposed planning districts to meet the Town's land use goals and objectives over the 20 year planning period:

- Agricultural Preservation District
- Environmental & Resource Protection District
- Public Lands District

1. 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 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, other agricultural land uses, pastureland, woodlots, and residences and out-buildings. 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:

1. Continue to maintain and encourage production agriculture, agricultural related businesses, forestry, open space, and compatible uses.
2. Protect farm operations from the encroachment of incompatible uses.
3. Limit nonfarm development consistent with town density policies.
4. Direct nonfarm development away from productive agricultural lands.
5. 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:

- FP-35 Farmland Preservation
- FP-1 Farmland Preservation
- FP-B Farmland Preservation-Business
- NR-C Natural Resource Conservation
- RE Recreational

For nonfarm development permitted under town density & siting policies:

- RR-1, 2, 4, 8, 16 Rural Residential
- RM-16 Rural Mixed Use zoning existing prior to March 1, 2024
- LC Limited Commercial, with appropriate conditions that meets the objectives of this plan.

d. Policies & Programs – Agricultural Preservation District:

i. Density Policy

Within the Farmland Preservation District, the density policy 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 FP-35 district. 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 Farmland

Preservation. 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.

Under the adoption of the Town of Primrose Comprehensive Plan the number of densities for non-farm development (also referred to herein as, “split” or “density unit”) on a parcel of land are based on the number of contiguous acres held in single ownership as of April 28, 1981. There is one density unit per 35 acres of land. Acreages are not rounded up for this calculation.

Density units are not equivalent to or guarantees of possible building sites. Building site criteria for a proposed nonfarm development also must be met before a density unit may be used. Landowners may choose from one, but not both, of two density options.

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 if the site meets the siting criteria below.

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 residential lots that meet the siting criteria of this plan.

- **Density 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 under 'Development siting standards & criteria'.

Density Option B:

The Densities for option B are determined based on the contiguous acres held in single ownership as of April 28, 1981 that have not been already been used as of the adoption of the May 18, 2010 revision of the Comprehensive Plan. Option B requires using two densities/splits (35x2=70 acres) for *all* remaining builds as of 2010. Once Option A or B are utilized, that option must be used for the rest of the densities on that property.

Example: If a property had 6 densities as of April 28, 1981 and used 2 of those before May 18, 2010, it would have 4 remaining densities. If Option B were used, the property would have 2 remaining builds at 1 per 70 acres.

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.

- **Density Option B Siting Criteria:** Landowners may cross no more than 300 linear feet of 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 Board 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 under 'Development siting standards & criteria'.

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:

- a) Any existing house must have a total floor area of at least 1,800 square feet.
- b) 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.
- c) 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.

The 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):

- a) 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, and whether land follows Option A, one build per 35 acres, or B, one per 70 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.
- b) 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.
- c) 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.
- d) Vacant, legal, substandard (sometimes referred to as "non-conforming") FP-1 zoned parcels under 35 acres in size in existence since April 28, 1981 may be 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.
- e) Substandard, legally created FP-1 zoned parcels under 35-acre parcels, with an existing residence, may not be divided.
- f) Illegally created substandard parcels are not permitted to divide.
- g) 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.

When density units are exhausted:

When eligible density units for an original April 28, 1981 farm have been exhausted, the town shall request the County to record a deed restriction that prohibits further residential development on the balance of the property prior to the issuance of the rezoning of said property. Portions of the property intended to remain in agricultural use shall be zoned FP-1 or FP-35.

ii. 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.

Site plan review:

The Planning Commission and Town Board 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 plan should meet all standards of section 10.101(6), Dane County Code. Site plans must, in the opinion of the Planning Commission and Town Board, meet all of the following objectives:

- a. 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.
 - i. Unless exempted by the Farmers Retirement house provision buildings shall not be located on historically cropped lands.
 - ii. Residential buildings, driveways, public or private roads and out buildings shall be located in pastures or woodlots in places with the least impact on the surrounding resources.
 - iii. Driveways and building in woodlots should minimize the destruction of hardwood trees and environmentally sensitive/important areas. Short driveways and building near the edge of woods may be required. No more than 30% or 2 acres (whichever is less) of existing woods on a lot may be cut for the building site and driveway.
 - iv. New buildings, driveways and public or private roads must comply with Resource Protection Corridor policies.
- b. Siting should protect the rural character of the township.
 - i. Proposed buildings and uses create minimal conflict with neighbors.
 - ii. New driveways, houses or outbuildings will be located a minimum of 500 feet away from adjacent out-buildings and residences, unless the adjacent residence is also the property of the person proposing the new building and is part of a planned "cluster development." Buildings and driveways must be 100' from existing property lines.

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:

1. where the enforcement of the rule is impossible because the parcel is too small;
 2. where the placement of the new driveway in accordance with the rule would disturb important natural resources such as agricultural land, or;
 3. if the adjoining landowner has no objection to the structure being placed close to his or her property than the rule would require.
- iii. 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.
 - iv. On properties with exposed hilltops or ridges, roof lines cannot extend above the hilltop or ridge line, if possible.
 - v. 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.

Lot size:

- a) 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.
- b) Nonfarm development in woodlands of greater than 20 contiguous acres existing as of 1981, requires a minimum lot of 10 acres of woodland and is restricted to 1 residential build.

Driveways and roads:

- a) New driveways and roads shall be the minimum length necessary to access the site.
- b) All driveways shall be designed and located to be suitable for emergency vehicle access and safe access onto existing roadways.
- c) Driveways must comply with the Town Driveway Ordinance, County or State Highway access requirements, as applicable.

- d) 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

Exceptions for Farmer Retirement Homes:

A farmer may be granted an exception for a retirement home if all of the following criteria are met:

- a) The resident farmer has owned or operated an agricultural operation headquartered in the Town of Primrose for at least 20 years and is at least 55 years of age.
- b) During all of those 20 years the resident farmer must have been actively engaged in production agriculture, which means they earn the majority of their livelihood from that operation. They cannot qualify with passive income such as land rent, MFL, CRP or CREP. The Town reserves the right to ask for verification of income. (The years do not have to be consecutive years.)
- c) The property must have a density per the township density policy. This lot will only take one density unit from the calculation.
- d) The lot granted under this exception may only be used for said farmer's retirement home. The lot may not be used for any other building purpose or sold as a buildable lot.)
- e) The approval of the retirement house lot is only valid for two years from the time of Town Board approval. If not constructed within that time frame, the applicant must reapply.
- f) If a farmer has building sites that meet the Town siting criteria (e.g., not in or crossing agricultural land etc.), one of those sites must be used for the retirement site. The farmer cannot have sold off sites since 2010 that meet the siting criteria (e.g., in woods or pasture), and then apply for a retirement site in or crossing agricultural land. The only time a retirement site will be allowed in or crossing agricultural land, is if the farmer had no buildable sites as of 2010 by the Town's siting criteria. The site must make minimum disturbance to agricultural land. The driveway cannot exceed 300 feet in length, and buildings cannot be more than 300' from the entry point of the field. All other siting criteria, ordinances, policies, etc., must be met.

Additional criteria may include, as appropriate:

- a) Manure storage plans and/or farm conservation plans approved by the Dane County Land Conservation Division

- b) 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.
- c) Erosion control and stormwater permits under Chapter 14, Dane County Code.

iii. 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 Limited Commercial zoning criteria or as conditional uses in the Zoning Districts.
- b) To limit rezoning to that portion of land which is necessary for the limited commercial use contemplated.
- c) To avoid speculation and ensure compliance with previous policies, the applicant must request a specific use when requesting a rezone. Due to the permitted uses in 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.
- d) All non-farm commercial, but not all non-farm limited commercial use shall count against the town density policy .
- e) 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.

iv. Mineral Extraction

Within the Agricultural Preservation Area, the town will consider Conditional Use Permits for new or expanded mineral extraction operations:

- 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:
 - a. 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;
 - b. 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.

v. Renewable Energy Facilities

The Dane County Zoning Ordinance describes three categories of renewable energy facilities (including wind turbines and solar arrays):

- 1. Utility services: small-scale facilities, such as rooftop solar panels or wind turbines intended primarily for onsite use. Such services are a permitted use in every zoning district.
- 2. Mid-size facilities intended primarily for offsite use, but not under the direct approval authority of the Wisconsin Public Service Commission. Such uses are a conditional use in several county zoning districts.
- 3. Large-scale facilities intended primarily for offsite use, and under Wisconsin PSC authority. Such facilities are exempt from county zoning.

The town will apply the following policies to Conditional Use Permits for renewable energy facilities, and will encourage the Public Service Commission to follow the

following policies when issuing orders for renewable energy facilities within the Town of Primrose.

1. To minimize the need for new electrical transmission lines, locate new renewable energy installations as close as possible to existing transmission facilities.
2. Where practical, manage density and size of utility-scale installations to minimize impacts to adjoining agricultural land uses and rural character.
3. Except where required for aviation or other safety concerns, encourage setbacks, vegetative screening, berms, or other practices to minimize visual impact.
4. Encourage multiple- or dual-use facilities that allow for agricultural, natural resource, habitat and/or soil and water conservation uses to coexist with energy generation.
5. Arrange energy infrastructure, fencing and berms to allow for equipment movement, habitat, wildlife corridors and pervious cover to minimize runoff.
6. Make sure all installations comply with county erosion control and stormwater standards during construction, operational, maintenance and decommissioning phases.
7. Encourage adaptive reuse of operating or closed mineral extraction or other rural industrial sites for renewable energy use.
8. To the extent possible, follow the siting criteria for this plan, to avoid productive farm soils.
9. Make sure landscaping and other vegetation is maintained to continue to serve its intended purpose and does not create sources for invasive species.
10. Require decommissioning plans for all renewable energy facilities, with financial instruments sufficient to cover the cost of equipment removal and reclamation. Lands should be reclaimed to uses appropriate to the planning area described in this plan.



2. 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:

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

c. Appropriate Zoning Districts:

- NR-C (Natural Resource Conservancy)
- FP-35 (Exclusive Agriculture)
- FP-1 (Farmland Preservation)
- RE (Recreational)

d. Policies & Programs – Environmental & Resource Protection District

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 agricultural structures, if no other site outside the Environmental Resources Protection District is practical and construction is limited to the footprint of the original structure.
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.

3. Public Lands District

a. Purpose:

The Town has established the Public Lands District 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:

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

c. Appropriate Zoning Districts:

- NR-C (Conservancy)
- FP-35 (Farmland Preservation)
- FP-1 (Farmland Preservation)
- RE-1 (Recreational)

d. Policies & Programs – Public Lands District

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.

C. Renewable Energy Facilities

1. Types of facilities

The Dane County Zoning Ordinance describes three categories of renewable energy facilities (including wind turbines and solar arrays):

1. Utility services: small-scale facilities, such as rooftop solar panels or wind turbines intended primarily for onsite use. Such services are a permitted use in every zoning district.
2. Mid-size facilities intended primarily for offsite use, but not under the direct approval authority of the Wisconsin Public Service Commission. Such uses are a conditional use in several county zoning districts.
3. Large-scale facilities intended primarily for offsite use, and under Wisconsin PSC authority. Such facilities are exempt from county zoning.

2. Policies

The town will apply the following policies to Conditional Use Permits for renewable energy facilities, and will encourage the Public Service Commission to follow the following policies when issuing orders for renewable energy facilities within the Town of Primrose.

1. To minimize the need for new electrical transmission lines, locate new renewable energy installations as close as possible to existing transmission facilities.
2. Where practical, manage density and size of utility-scale installations to minimize impacts to adjoining agricultural land uses and rural character.
3. Except where required for aviation or other safety concerns, encourage setbacks, vegetative screening, berms, or other practices to minimize visual impact.
4. Encourage multiple- or dual-use facilities that allow for agricultural, natural resource, habitat and/or soil and water conservation uses to coexist with energy generation.
5. Arrange energy infrastructure, fencing and berms to allow for equipment movement, habitat, wildlife corridors and pervious cover to minimize runoff.
6. Make sure all installations comply with county erosion control and stormwater standards during construction, operational, maintenance and decommissioning phases.
7. Encourage adaptive reuse of operating or closed mineral extraction or other rural industrial sites for renewable energy use.

8. To the extent possible, follow the siting criteria for this plan, to avoid productive farm soils.
9. Make sure landscaping and other vegetation is maintained to continue to serve its intended purpose and does not create sources for invasive species.
10. Require decommissioning plans for all renewable energy facilities, with financial instruments sufficient to cover the cost of equipment removal and reclamation. Lands should be reclaimed to uses appropriate to the planning area described in this plan.