

Chapter 9: Land Use

9.1 Land Use

This element provides a baseline assessment of the Town of Verona land use and contains information required under SS66.1001. Information includes: existing land uses, existing and potential land use conflicts, natural limitations for building site development and land use trends. This information provides a basis for creating goals, objectives, policies, maps and actions to guide the future land use activities in the Town that are covered in this chapter.

Existing Land Use

All the land in the Town is categorized according to its primary use. Those categories are described in the following list, referenced in the rest of this chapter, and illustrated on Map 9.1, Existing Land Use. These categories do not necessarily represent the land use categories used in the future land use map.

Agriculture:

- Agricultural – Land used specifically to grow or raise biological products for human consumption or use, for example: cropland, pasture, orchards, nurseries, vegetable farms, and tree farms. (Wis. Stats. TAX 18.05)
- Farmstead – a residential structure associated with agricultural land and typically without urban services (public water or sewer).

Residential:

- Single-Family Residential – a structure that only contains one dwelling unit (as defined above).
- Two-family Residential – a structure that contains two dwelling units.
- Multi-Family Residential – a structure that contains more than two dwelling units.

Commercial:

- Commercial – a property where retail goods and/or services are sold or where office activities take place.
- Mineral extraction – a property where the extraction of metallic or nonmetallic minerals or materials takes place.

Public/nonprofits:

- Governmental Institutions/non-profit institutions – property owned and/or used by governmental bodies, non-governmental organizations, and community organizations. These can include the Town Hall, public works buildings, County, State, and Federal structures, schools, churches, and others.

Natural Resources:

- Natural and Recreational Resources – a property where recreation is the primary activity. The City, County, or State usually owns these properties or they may be owned privately.
- Woodland - land which is primarily forested. Generally woodlands are five acres or more.
- Open Space – land that is undeveloped, has no functional structures, and is neither forested nor used for agricultural purposes.

Between 1990 and 2010, residential and commercial development in the Town of Verona nearly doubled in area, from about 930 acres to about 1,830 acres. About 7,000 acres were lost to annexation by the Cities of Verona and Madison between 1970 and 2016 (31%). This urbanization of the area has resulted in different characters in different parts of the Town. As mentioned in Chapter 1 and shown on Map 9.2, for the outreach effort for planning process the Town was divided into eight areas. These areas

were based on the character of the existing land use and current development pressures. Area 1, north of PD is impacted by growth in the City of Madison. In addition, in 2017 the City of Verona conducted a large plan for most of this area in part due to a proposal for a large scale urban development at the intersection of Highway PD and Northern Lights Road. Area 1 is home to two destination camps, Camp Shalom and the Heartland Farm Sanctuary. The Town recently approved three single-family land condominium developments in Area 1. These created sixty-two new home parcels. The Terminal Moraine runs through a portion of Area 1 and preserving the Ice Age Trail along that ridge is a high priority. Area 2 contains the Town Hall, the Military Ridge bike trail, a large amount of land owned by Epic, and some homes and horse farms. Area 3 is made up primarily of farmland and the Sugar River is a major feature of this area. Area 4 is composed of some farms and many large residential lots. In this area, the City has expanded to the south of 18-151 and more urban development is expected. Area 5 is made up primarily of smaller farms and large residential lots. Like with Area 1, the Terminal Moraine runs diagonally through this area. The Town recently approved a single-family land condominium development that will include a new portion of the Ice Age Trail. Area 6 contains two neighborhoods and several farms. However, one large farm recently went on the market, and there is strong development pressure in this area. To date, the City of Fitchburg has prevented Town development in this area, and future development may go into the City of Verona. At one time there was a proposal to expand the Town's only sewer district in this area. Area 7 has some open space, two fully developed neighborhoods, and the Town's only commercial area which is along Nesbitt Road. Lastly Area 8 is mostly made up of land that is expected to be annexed into the Cities of Verona or Madison over the next 20 years. The reconstruction of Highway PD and Highway M will drastically change the character of Area 8.



Redevelopment Opportunities

Redevelopment opportunities are buildings or parcels that have fallen into disrepair and are no longer contributing positively to the social or economic life of the Town. Redevelopment is typically synonymous with infill development, which is development within existing urban areas that utilizes existing public infrastructure. Such investments help to make communities more efficient and sustainable. There are limited residential areas within the Town that may someday see redevelopment, most likely to subdivide large lots and offer infill housing opportunities. Also some areas may see construction of multi-family residences or commercial development. This would be dependent upon market pressure and the availability of public water and sewer. The most likely area for this type of development is the Hillside Heights area as it is in a sewer district, but on private wells.

Land Use Trends

Land Supply for Future Development

As the Plan Commission and consultants identified land available for future residential development, they took into consideration many factors. In 2018, there were 15,251 acres of land in the Town. Of these, 125 acres are in road right-of-ways, leaving 15,126 acres. The ten-year boundary agreement adopted in June 2016 with the City of Verona places certain restrictions on future land use (Map 9.3). The Town land was divided into different land categories. Area A (2,680 acres) is adjacent to the City of Verona and expected to be develop within the next ten years as part of the City of Verona. Area B (3,691 acres) is an area outside of Area A where the City and the Town have joint decision oversight on lot splits and zoning. These two areas reduced the acres available for significant development in the Town and the remaining acres were 8,754. Within the A and B areas are neighborhoods, which are controlled by the

Town, and these were included in the acreages for these areas. Area C (8,754) was at the very edge of the Town and was under the control of the Town except where the Extra-Territorial Jurisdiction (ETJ) of the Cities of Fitchburg and Madison are relevant. In this C Area, there are 1,040 acres of public lands that include wetlands and forests. To determine the area in Area C that is available for residential development, the area of C was reduced by the non-developable land, which includes land already with buildings, land in the ETJ of the Cities of Fitchburg and Madison, land designated for Farm Land Preservation, and land in natural resources. After subtracting these acreages from Area C, 2,974 acres remained (Map 9.4). Lands within this area, which have steep slopes or potential wetlands, are challenging for development (Map 9.5).



While there are constraints to land supply, the boundary agreement with the City of Verona and the use of land condominium developments as a tool have increased development and opened up more opportunities in the future. New development will most likely occur in the western and southwestern portions of the township, where it has been established that the City of Verona does not expect to grow. The Sugar River will likely be a defining feature between the Town and City of Verona.

Land Demand for Future Development

The Verona area is a very desirable place to live, particularly with the development of Epic Systems in the City of Verona and its closeness to the Madison Metropolitan area, where most residents of the Town work. For future planning it is important to project the demand for rural residential parcels. Several factors were considered in developing this projection. Dane County is the fastest growing county in Wisconsin and the future growth is projected to continue. The future growth rate for Dane County is estimated to be about 1.6% (madison.com/wsj/news/local/madison-dane-county-lead-the-state-population-growth-in-latest/). The 20-year plan for the City of Madison is projecting the need for 40,000 dwelling units. The growth rate from Town of Middleton is projected to be 1.9% for 2014 to 2019. Additionally, the land north of the Town of Verona is confronting a decrease supply of land for future development, and this is expected to increase demand for developable land in the Town. If the projected growth rate in new home construction is 1.5% per year for the Town, the number of homes constructed from 2018 to 2038 will be 301, which is an average of 15 homes per year. In order to provide for options for development and to maintain affordability, a factor of 2 was used to determine the number of residential parcels that should be made available for development during the next 20 years. Thus, the target for development for the future land use map was land designated for rural residential density that would provide 600 building parcels in the next 20 years (Map 9.6). Four larger tracks of land were designed for future rural residential development with the expectation that the developments in these areas would follow the principles of conservation subdivisions. This would allow clustering of home sites and the preservation of open spaces and vistas.

Table 9.1: Building Permits 2005-2017

Year	New Home Permits Issued
2005	3
2006	3
2007	0
2008	2
2009	1
2010	4
2011	6
2012	4
2013	10
2014	1
2015	6
2016	4
2017	17
Total	

Source: Town of Verona

Another factor in considering the needed growth in the Town is the financial factor. Over the past 10 years the budget for the Town has remained about \$1.55 million dollars. A budget increase of \$289,000 is needed to meet the current demand for funds to cover the cost of additional expenses for a public works supervisor, more for road maintenance, social services, emergency services (EMS and fire), and for maintenance of landscaping and building maintenance. It is estimated that the construction of 15 new homes each year, would add approximately \$34,000 in additional revenue each year. New development is not expected to significantly impact Town expenses because private roads are being developed and the Town currently offers limited services. The largest budget items for the Town are road maintenance and emergency services. These are expected to increase because of local development but more likely because of regional growth instead.

New construction at a growth rate of 1.5% would slowly progress the Town's revenue toward the needed increase. This projected new construction of 15 homes per year is consistent with the 17 building permits issued in 2017 (Table 9.1 on Page 61). This increase in building permits is the result of the approval of the boundary agreement and land condominium subdivisions, both in 2016.

Land Prices

Agricultural and forest lands sell for a higher price when sold for uses other than continued agriculture or forestry. The U.S. Census of Agriculture tracks land sale transactions involving agricultural and forestry land in Dane County. In 2014 the average price of agricultural land sold that continued in agricultural use was \$9,337/acre; if the agricultural land was diverted to other uses, it sold for \$10,593/acre (Table 9.2). It is expected that future sales of land in the Town will generally be for residential or commercial development. The price for this land is difficult to estimate as it depends on the location and the specific future use. Land prices for multiple housing projects are about \$34,000/acre. In 2016, five-acre residential lots were assessed at about \$220,000 in the Town. Currently, two-acre parcels are being sold for \$160,000 to \$240,000. Because of the high demand for land for residential development in the Town, land prices are expected to continue to increase.

Table 9.2: Agricultural Land Sale Transactions in Dane County

Year	Ag Land Continuing in Ag Use			Ag Land Diverted to Other Uses		
	Number of Transactions	Acres Sold	Dollars per Acre	Number of Transactions	Acres Sold	Dollars per Acre
2000	62	5,286	\$3,208	39	2,430	\$11,177
2005	30	1,974	\$5,852	51	3,149	\$28,542
2010	47	5,875	\$6,463	1	40	\$6,400
2011	45	3,539	\$7,186	4	212	\$8,199
2012	38	2,392	\$7,834	9	1,092	\$12,827
2013	35	2,651	\$8,489	7	734	\$10,450
2014	21	1,442	\$9,337	3	83	\$10,593

Limitations for Designation of Building Sites for the Future Land Use Map

Development should only take place in suitable areas, which is determined by a number of criteria, including:

- Land use preferences as indicated by this comprehensive plan
- Compatibility with surrounding uses
- Natural and cultural resource constraints
- Ability to safely access the area

- Various physical constraints (soils, wetlands, floodplains, steep slopes, etc.)

Topography is an important determinant of the land uses in a given area. Lands with steep slopes (20% or greater) are generally poorly suited for residential development and for most agricultural purposes and, therefore, should be maintained in natural cover for water quality protection, wildlife habitat, and erosion control purposes. Lands with less severe slopes (12%-20%) may be suitable for certain agricultural uses, such as pasture, and for carefully designed residential uses. Lands that are gently sloping or nearly level are generally suitable for agricultural production, commercial sites or residential uses. The Town currently prohibits roads with slopes greater than 10%.

Another important determinant of land suitability for development is the presence of water and an area's susceptibility to flooding. Lands that are classified as wetlands, have a high water table or are in designated floodplains are rarely suitable for development.

9.2 Issues and Opportunities Identified During the Planning Process

By the year 2040, Dane County's population is expected to increase by nearly 25% over the 2010 population, or approximately 118,000 people. This increased population in the County will affect the Town with regard to the need for housing, jobs, services and transportation. Based on 2005 and 2016 resident surveys, the Town has an aging population and many of these residents own larger parcels. Many of these residents indicated that they do not have any children or relatives who would like to continue farming and thus, they have an interest in selling their properties for the highest price.

These demands must be balanced with the desires and needs of Town residents to preserve the rural character, maintain green space, provide recreational opportunities, protect and preserve environmentally sensitive areas, and to maintain itself as an economically viable entity.

Goals, Objectives, and Policies

The Town is fortunate to be located in an area of diverse, glacial topography. A terminal moraine crosses the Town from NW to SE, and there is a large outwash plain to the south and west of the moraine. The Sugar River flows south through this plain and is surrounded by high quality farmland. Residents value the rural character of the Town and the availability of natural areas.

GOAL 1

Ensure a desirable balance and distribution of land uses to reinforce the Town's rural character

Objectives:

1. Maintain a comprehensive future land use plan and map that identifies potential areas appropriate for natural resource protection, agriculture, residential, commercial, recreation, and public uses.

Policies:

1. The Town has mapped sensitive environmental features that require special consideration for protection including steep slopes, wetlands and floodplains (Map 9.6). The Town will maintain

regulations and development review procedures that protect these areas consistent with the policies of this Chapter and any County, State or other applicable laws.

2. The Town has mapped areas in agricultural use or that have highly productive soils for agricultural use (Map 6.1). The Town will promote the preservation of farmland by placing a high priority on limiting development on all properties in the Town that are designated as Agricultural Preservation Areas on the Future Land Use Map.

3. The Town has mapped the location of non-farm residences throughout the Town. Using this information, and considering other factors including the potential for land use conflicts with agricultural use, topography, and the capacity of adjacent roads, the Town has identified areas suitable for future residential development and policies in this Chapter to guide how that development occurs. The Town will promote grouping or clustering of building parcels in allowable development sites in an effort to preserve farmland, protect other natural resources, and reduce development visibility.

4. The Town has mapped existing commercial uses. Using this information, and considering other factors including the potential for land use conflicts with agricultural use, topography, and the capacity of adjacent roads, the Town has identified limited areas suitable for future business development and provided policies in this Chapter to guide how that development occurs. It is expected that there will be an increase in the number of business operations serving the needs of homeowners, such as snow plowing, landscaping, motor repairs, and plumbing.

GOAL 2***Balance land use regulations, natural resources, and individual property rights with community interests***Objectives:

1. Maintain policies for considering amendments to the Future Land Use Map if and when requested by eligible petitioners.
2. Provide flexibility in development options/tools to create win-win outcomes between landowner desires and community interests.

Policies:

1. Amending the Future Land Use Map: A property owner may petition for a change to the Future Land Use Map. Requests for amendments to land use designations will be accepted December of each odd numbered years. See section 9.5 for future land use map (Map 9.6) amendment policies.
2. Planned Unit Development: A developer may elect to apply for approval of a plat employing a planned unit development (PUD) design. A PUD allows for a more creative approach to development with trade-offs that are not typical with traditional development. Planned Unit Developments have amenities not found in typical plat such as community centers or commercial enterprises.
3. Conservation Subdivision Development: A developer may elect to apply for approval of a plat employing a conservation subdivision design. For more on conservation subdivisions, see the

policies under Goal #3. The Town will adopt in the near future formal conservation subdivision regulations.

4. Single-Family Home Land Condominium Development: A developer may elect to apply for a land condominium plat rather than a development with lots. Land condominium plats are developments in which the streets and other common lands are privately owned and maintained by a condominium association, to which all owners pay annual fees. The Town will work with developers proposing condominium developments to create quality neighborhoods and ensure the proper function of the condominium association over time. Adopted by-laws and a condominium association that meets at least once a year are requirements of a condominium development.
5. Subdivision development: A developer may elect to apply for a subdivision plat using the Town's subdivision ordinance. This allows for individual lots and a public road.

9.3 Community Design Principles

Issues and Opportunities

The Plan Commission believes development should strive to maintain the community's rural character, minimize impacts to adjacent uses, and reflect sound planning and engineering principles.

Goals, Objectives, and Policies

GOAL 3

Encourage high quality site and building designs within the community to maintain the rural character of the Town

Objectives:

1. New development with more than four parcels for single-family residences will be required to be a formal subdivision plat, a conservation subdivision or a land condominium development. An overall master plan will be required and the development may be subject to phasing.

Policies:

1. Master Plan Submittal Standards: The Town will require that a site plan for all proposed residential development of more than four parcels, commercial, and industrial development be submitted to the Plan Commission for review and the Town Board for approval. This site plan must address the following criteria and concerns:

- a. Existing Boundaries - All existing property boundaries, lot lines, and easements must be shown.
- b. Existing Structures - All existing uses, structures, roads, and driveways must be shown.
- c. Soils - Areas of differing soil productivity shall be delineated.
- d. Natural Areas - All natural features such as wetlands, floodplains, woodlands, native grasslands, and steep slopes shall be delineated.
- e. Preservation of Existing Trees - The minimum level of tree clearing necessary for building

- on the site shall be indicated to encourage the preservation of quality trees. In addition, the planting of new trees is encouraged.
- f. Topography and Viewsheds - Contour elevations shall be delineated every ten feet on the site plan, and the development effect on views and vistas shall be identified.
 - g. Infrastructure Profiles - Cross-sectional views of any proposed roadways and utilities associated with a proposed development shall be provided.
 - h. Erosion Control/Stormwater Management - Any erosion control measures required controlling runoff, and all cuts and fills shall be noted on the site plan. Appropriate erosion control and stormwater management permits must be obtained before development is started. Developers will be encouraged to exceed State standards for stormwater management.
 - i. Existing Legal Limitations on Development - Any deed restrictions or other legally recognized limitations on development on parcels associated with the proposed development shall be provided with the petitioner's application to the Town.
 - j. Road access - Appropriate road access approvals must be in place before construction is started.
 - k. The well and septic systems - These improvements will be the responsibility of the property owner and the Town makes no guarantee that the land will support a well or septic system.
 - l. Phasing - A phasing plan may be required depending on the scale of the development.
2. Design Guidelines and Policies - Sites, buildings and facilities approved under the policies of this Plan shall be designed in accordance with the policies outlined below:

Figure 9.1: Building Layout



- a. Building placement in agricultural areas - Lots, buildings, and driveways within agricultural areas shall be configured to be located on the least productive soils and shall not fragment large tracts of agricultural land by placing building envelopes and driveways in the middle of large parcels (see Figure 9.1).
- b. Environmentally Sensitive Areas - Lots and buildings shall be configured to maintain contiguous environmental corridors and resource protection corridors. To the extent possible, property owners and developers shall preserve existing woodlands and mature trees during and after development by clearing only what is necessary for the house, immediate yard, and driveway. Wetlands, floodplains and steep slopes (more than 20% slope) will generally not be disturbed, consistent with County and State regulations.

Figure 9.2 Traditional and Conservation Development

- c. Conservation Subdivisions – The Town encourages the use of Conservation Subdivisions when large developments are proposed, rather than conventional designs that allocate all land to individual home sites (see Figure 9.2 and 9.3).

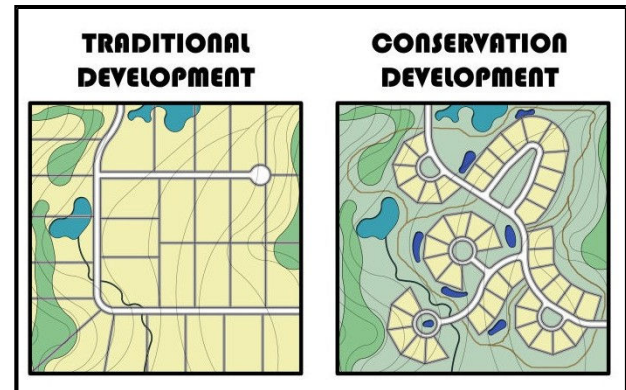
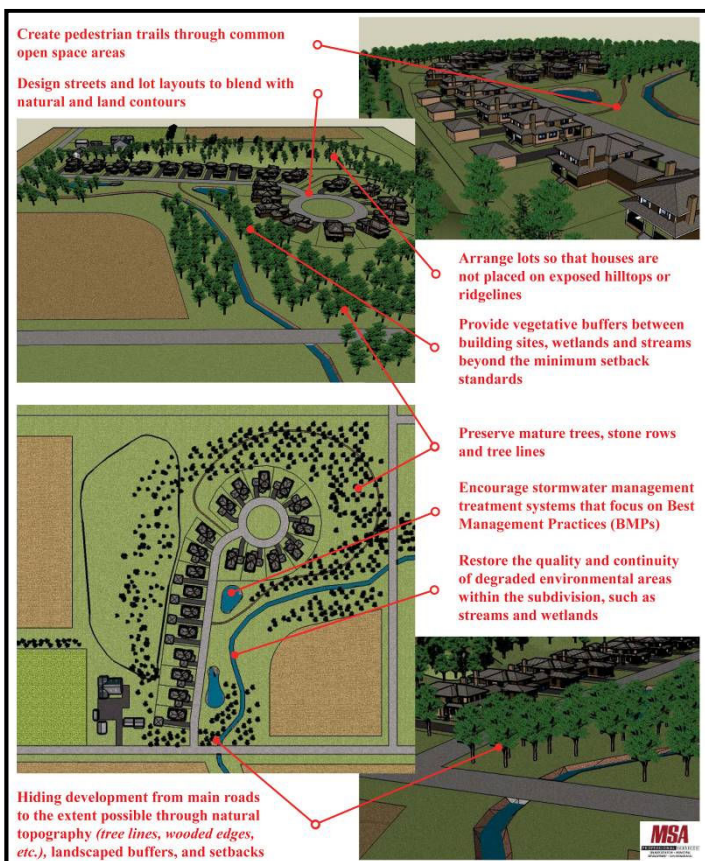


Figure 9.3: Conservation Subdivision Design Principles



- d. Subdivisions or Condominium Development – The following design guidelines will apply to all development creating five or more home sites:
- Where possible, incorporate a variety of unit and lot sizes to enhance market choice and visual variety.
 - The number of condominium units will not exceed the maximum residential unit density indicated in the Future Land Use Map (Map 9.6) for this plan, calculated

based on the gross acreage, i.e., the gross area will be divided by the density indicated on the Land Use Map. Residential units must be at least 1.5 acres. Land not needed for residential units may be owned in common as outlots for conservation, recreation purposes, private roads, and stormwater management. Developers will be encouraged to follow Chapter 75 of the Dane County code.

- e. Rural Design – New home sites should be located so as not to impact on the rural character of the view from the road or the view from neighbors. This might involve planting visual barriers next to the road, using shared driveways, encouraging development on flag lots. The number of driveways accessing a road should be minimized.
- f. Commercial Areas – Potential land use conflicts with existing uses shall be mitigated through buffering, landscaping berms, and lot/building location on the proposer's parcel when a proposed use may conflict with an existing use. Loading docks, dumpsters, mechanical equipment, and outdoor storage areas should be behind buildings or screened from public view through the use of landscaping or architectural features. Parking should be to the sides and rear of buildings wherever possible, rather than having all parking in the front. Interconnected parking lots and driveways should be provided to facilitate on-site access. Large parking lots should be landscaped with perimeter landscaping and/or landscaped islands, along with screening (berms, trees, decorative walls) to block views from incompatible adjacent uses. Illumination from lighting will need to comply with the Dark Sky Ordinance. High-quality signage based on the area of the building frontage, road frontage, or façade area should be used.
- g. Roads – Roads, whether public or private, for new developments shall be constructed according to Town standards and ordinances and shall allow for safe ingress and egress of vehicles, including emergency vehicles. Most lots/units shall have access from interior local streets/roads. Streets/roads should be laid out in a manner that takes advantage of the natural topography and aligns with existing facilities. Pedestrian and bicycle improvements are strongly encouraged within or between residential areas. The Town intends to avoid the creation of new public roads for new development whenever feasible without compromising public safety, to limit future maintenance liabilities. The Town prefers that new development utilize shared driveways and private roads.
- h. Utility Construction – Utilities shall be sited and designed to minimize impacts on adjacent uses. Underground placement and co-location for new public and private utility facilities is encouraged. Above ground utilities shall incorporate site, design, and landscaping features that minimize impacts and visibility to adjacent uses.

9.4 Future Land Use Plan

The information in this section is intended to provide a written explanation of the Town of Verona Future Land Use Map (Map 9.6). The Future Land Use Plan identifies areas of similar character, use, and density. **These land use areas are not zoning districts, as they do not legally set performance criteria for land uses (i.e. setbacks, height restrictions, etc.);** however, they do identify those zoning districts from the rewrite of the Dane County Zoning Code that may be approved within each future land use classification. The land use categories, housing densities, and minimum parcel size are summarized in App 9.1. The future land use map will be used by the Town to make land use decisions. Changes to the zoning or division of land must be consistent with the policies of this plan, per SS66.1001.

The future land use plan was developed by the Town of Verona Plan Commission over a two and a half year long process. It is based on resident input (gathered through meetings and a survey) existing land uses, soils, roadway and driveway access, adjacent uses, long range plans of surrounding jurisdictions, and an attempt to preserve rural views and character. Three consultants also helped shape the future land use map, MSA Professional Services, which drafted the 2012 plan which was the starting point for this document, and the Capital Area Regional Planning Commission and Vierbicher Associates who both helped with data and market land supply analyses.

The Town does not assume that all areas depicted on the Future Land Use Map will develop during the next 20 years and this land use plan will be updated in ten years from 2018. The Town encourages a phasing in of proposed development and recognizes the difficulty of this process as future factors might override any such plan.

Farmland Preservation (FP)

The primary intent of these areas is to preserve productive agricultural lands for the long-term, protect existing farm and forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat. As mapped, this designation includes farmland, scattered open lands, woodlots, agricultural-related businesses, farmsteads, public lands (wooded or wetlands), and limited single-family residential development. These areas were designated as Farmland Preservation Areas (Map 9.7) based on soil quality, owner preference, and location. The Town of Verona's 2006 comprehensive plan had a much larger area for farmland preservation than is shown in this plan. This change is due to several factors. First, economic forces are making farming less viable (see Chapter 6 for more detail), particularly in the Town of Verona where development pressures are so high. In addition, the Town sent out a letter to all the land owners who were previously in a farmland preservation area and found that many did not take the tax credits or want to be in a farmland preservation area. The growth of the City of Verona also influenced the current farmland preservation areas. Any farmland preservation areas that were in the City's potential growth area as outlined in the City/Town of Verona Boundary Agreement were removed because it is likely that land will be annexed into the City of Verona and developed within twenty years. Lastly, the only area of the Town that the Town has direct control of (with no extra-territorial jurisdiction of an adjacent city), is the southwest corner of the township. It is not prudent to have the most restrictive controls on the only area where the Town can approve development.

In areas that have been left in farmland preservation, permitted development shall be located in such a manner to minimize the fragmentation of productive agricultural land and to minimize any disruption to existing farm operations.

Appropriate Zoning Districts

The County's future *Farmland Preservation Districts, FP-1 (less than 35 acres) and FP-35 (35 acres or greater)* zoning districts are most appropriate for areas within this land use category. FP-B is also appropriate in certain areas.

Policies:

1. The Town will limit new development to a density of one residential dwelling unit per 35 contiguous acres held in single ownership as of October 17, 1980 (date of the adoption of A-1 Exclusive zoning district in the Town of Verona Comprehensive Plan).

- a. Allocation of Remaining Splits - For areas designated as agricultural uses on the proposed land use map to remain under agricultural zoning, remaining splits will remain with the larger parcel unless noted otherwise in legal transactions between a buyer and seller.
 - b. Substandard Parcels - Some legal non-conforming parcels of land (less than 35 acres and in existence before October 17, 1980) remain in the current A-1 Agriculture District of the Town. The Town will consider proposals for amending the comprehensive plan and rezoning based on a number of criteria, including:
 - (i) The overall density of development proposed
 - (ii) Impact on services
 - (iii) Environmental impacts
 - (iv) Impact on and compatibility with surrounding land uses
 - (v) Town & County agricultural preservation rezoning guidelines
 - (vi) Land has not had a history of economically viable farming activity.
 - (vii) Land which is too small to be economically used for agricultural purposes or which is inaccessible to farm machinery needed to produce agricultural products.
 - (viii) Land located such that conflict with surrounding agricultural uses is minimal.
 - (ix) Land divided such that the minimum lot size and density requirements for nonfarm parcels are consistent with policies in the Town.
 - (x) Land with soils not classified as prime farmland or farmland of statewide importance.
2. The Town will allow the separation of farm dwellings and related structures that existed prior to October 17, 1980 or which remain after farm consolidation. These separated land divisions will count against one split per 35 acres density policy.
 - a. Assignment of Splits to Land, Not Owner - In order to prevent the occurrence of multiple divisions by successive landowners, splits shall be associated with the land, shall be cumulative, and shall apply to those persons or entities owning land on October 17, 1980, and to their grantees, heirs, successors, or assignees.
 - b. The minimum size parcel to qualify for Agricultural Preservation can be as low as one acre, but lot splits must be associated with parcels 35 acres or greater.
 - c. Non-farm residential lots shall be a minimum of two (2) acres per unit, except as otherwise provided below for conservation subdivisions or condominium development.
 3. The Town will permit commercial uses that are agricultural related, such as veterinary clinics, farm machine repair, agricultural supply sales, marketing, storage, and distribution centers, plant and tree nurseries, and facilities for processing agricultural products. The Town prefers site design strategies that minimize conflicts with neighboring residential uses and disruption of rural vistas.

Transitional Agricultural Use

The primary intent of this classification is to conserve rural use lands that may someday be used for rural residential development or lot splits in the next 20 years.

Appropriate Zoning Districts

The most appropriate zoning designations for this land use category are the future County's Transitional Agricultural districts (AT-35, AT-B).

Policies

1. When it is determined that land with the transitional agriculture classification is appropriate for development, the Town will require a change in zoning to be consistent with the proposed land use.
 - a. The highest default density for planned Transitional Agriculture areas shall be 1 residence per 8 acres, unless the development meets the Town's standards for a conservation subdivision, a land condominium development or a Planned Unit Development, or public water and sewer are available.
2. The Town will use the following standards when determining if more intensive development is to be considered:
 - a. The property owner or developer shall submit a conceptual development plan for the entire property.
 - b. The proposed development will have a positive fiscal impact on the Town.
 - c. The property owner has met with nearby property owners and made a good faith effort to address their concerns.
 - d. The proposed development will consider ways to minimize impact on the rural character of the Town.
 - e. Units/lots will be determined by the type of development.
 - f. The proposed development will not have a significant negative impact on ongoing farming operations within any farmland preservation area.

Rural Residential

The primary intent of this classification is to identify areas suitable for future single-family residential housing within a rural context with emphasis on preservation of open spaces and conservation of environmentally sensitive areas. The maximum density shall be one (1) dwelling unit per two (2.0) acres of land. With the following exceptions:

- Lot averaging can be used on parcels less than 10 acres. Under this concept, the parcel would be divided by a factor of two to determine the number of allowed lots. The new lots could be a variety of sizes as long as natural features were preserved, that the smallest lot would not be less than 1.5 acres, and a deed restriction would be applied to prohibit further splits.
- In a land condominium subdivision, the original lot size can be divided by a factor of two to determine a total number of lots, and units with a minimum lot size of 1.5 acres may be considered.
- In conservation subdivisions, a lot size of less than two acres may be allowed. A conservation subdivision ordinance will be developed to determine the appropriate standard.

Appropriate Zoning Districts and Subdivision Methods

The County's future *Rural Residential* zoning districts (*RR-2, RR-4, and RR-8*) are most appropriate for future Rural Residential land use category. Planned Unit Development zoning is also an option. Subdivision methods using conservation development principles are encouraged.

Policies

1. The Town will limit new development to a density of the residential dwelling unit category on the land use map. Higher densities are possible if the development meets the Town's standards for a conservation subdivision. In some cases a Planned Unit Development or condominium subdivision may be considered.

Urban Residential

The primary intent of this classification is to identify areas suitable for future single-family residential housing and multiple-family dwellings within the context of an urban setting, rather than a rural one.

Appropriate Zoning Districts and Subdivision Methods

The County's proposed residential zoning districts (SFR, TFR, MFR) are most appropriate for this Urban Residential land use category. Planned Unit Development zoning is also appropriate. Generally, the areas designated as Urban Residential on the future land use map are already built out.

Policies

1. The Town will limit new development to a density of one (1) residential dwelling unit per one and a half (1.5) acres for single-family dwellings. With the following exceptions:
 - Higher densities are possible if the development is served by public sewer or a private shared septic system that serves multiple homes. This density will be as low as 1 residential dwelling per 0.5 or 0.7 acres depending on the land use map.
 - Lots for multiple-family units, if served by public sewer shall be a minimum of 0.5 acres. Lots for multiple-family units that are served by private septic shall be a minimum of 2 acres.
2. The Town will require a concept plan for the total acreage of a proposed development of more than four dwelling units and/or if the existing parcel is 8 acres or larger. The plan will establish design guidelines for the designated area that are consistent with the land use map. These guidelines may include but are not limited to:
 - a. Density - Planned density for these areas will ultimately be dependent upon the density allowed in the land use map and whether public water and sewer (i.e. urban service area designation) are available, and based on compatibility with existing surrounding uses.
 - b. Preservation of Open Space -The preservation of open spaces and environmentally sensitive areas through conservation subdivision principles are encouraged.
 - c. Compatibility with Transportation Network - Location of existing or proposed public roads, private driveways and private roads.
 - d. Encouragement of trails – The developer is encouraged to provide a plan for walking and/or biking trails.

Urban Mixed Use Neighborhood

The primary intent of this classification is to identify areas suitable for a broader range of commercial, institutional, recreational, and residential uses, which are served by public services or are likely to be served by public services within the next 20 years. The urban mixed use neighborhood (UM)

classification is reserved for those areas that are immediately adjacent to the Cities of Madison and Verona. Land within the UM classification includes retail businesses and/or multi-family dwellings. The existing land use pattern, transportation infrastructure, and availability of sanitary sewer make these areas suitable for mixed-use neighborhoods with higher density residential development than what is permitted under the Rural Residential development classifications. An example of such an area would be Hillside Heights, which has commercial, single-family dwellings, duplexes, and multi-family dwellings.

Appropriate Zoning Districts

The most appropriate zoning for the Urban Mixed Use future land use category are the County's future *Residential* zoning districts (*SFR, TFR, MFR, TND-R, TND-M, LC, GC, PUD*).

Policies

1. Within the UM classification, limit new development to a maximum gross density of one (1) residential dwelling unit per half (0.5) acre with public septic.
2. The Town will direct high-density residential development, commercial and industrial development requiring a full range of urban services to an approved public sewer district.
3. A neighborhood plan is required prior to the approval of a proposed urban mixed use neighborhood development. These guidelines may include but are not limited to:
 - a. Density - Planned density for these areas will ultimately be dependent upon the land use map (Map 9.6), whether public sewer (i.e. urban service area designation) is available, and based on compatibility with existing surrounding uses.
 - b. Lot and Building Size - Limitations on lot size and building size will be considered on a case by case basis.
 - c. Availability of Adequate Utility Services - The availability of public utility services will be considered in deciding lot size and uses.
 - d. Designation of uses – family dwellings, multi-family dwellings, commercial uses.

Commercial

The primary intent of this classification is to identify areas suitable for planned commercial development. The USH 18-151 corridor, Fitchrona Road, and the Nesbitt Road areas that represent potential business areas of the Town. Commercial development opportunities in the Town are limited because of the lack of water and sewer service in most of the Town, the desire to keep a rural character, potential impacts on residential development, limited road access, and potential conflicts with the long term plans and extra-territorial jurisdiction of the surrounding cities.

Appropriate Zoning Districts

The most appropriate zoning for this future land use category are the County's proposed zoning districts *LC Limited Commercial*, and *GC General Commercial*.

Policies

1. The Town will evaluate commercial development in terms compatibility with adjacent land uses.
2. The Town will direct commercial and industrial development requiring a full range of urban services to the public sewer districts, unless otherwise proposed for a specific area in the Town in concurrence with the Town Comprehensive Plan.
3. The Town will require any development outside of an Urban Service Area to be on a site

with adequate well and septic access.

4. The Town will require a site plan for any proposed development. A site plan ordinance should be considered.
5. The Town encourages commercial development to locate near incorporated areas, existing business developments, or along collector and arterial roadways. Any industrial development requiring large volumes of water, sewage treatment, or fire protection by a public water system with hydrants will be directed to locate in a public sewer district.
6. If the commercial business is planned for a rural part of the Town, the business shall not detract from the rural character of the surrounding area.
7. The Plan Commission will review all building design plans to ensure they create a positive image for the Town.

Natural Resource and Recreational areas

The primary intent of this classification is to identify areas for conservation and/or recreational use, either in public ownership (e.g. parks) or private ownership (e.g. a commercial business or fraternal organization). Uses might include hunting, fishing, sports clubs, campgrounds, golf courses, and other recreational facilities as well as parks, wooded areas and other natural areas.

Appropriate Zoning Districts

Dane County proposed zoning districts that may be appropriate are NR-C, RE, NR-P depending on the proposed use.

Policies

1. The Town encourages the protection of lands that are vital to the region's ecosystem and/or that are considered an important part of the Town's rural character.
2. It will not be necessary to amend the Town's Future Land Use map to approve creation of a publicly-owned park or recreational use on land that is currently mapped for another future land use; however, the creation of new privately-owned recreational uses will require an amendment to the Future Land Use Map to this NR designation.

Environmental and Resource Protection Corridors

The intent of this classification is to identify area that are protected areas not suitable for structural development due to environmental sensitivity and include wetlands and floodplains as shown on Floodplain and Wetlands Map 9.5. This Environmental and Resource Projection Corridor includes the floodplain associated with the Sugar River and Badger Mill Creek as well as areas designated as wetlands by Department of Natural Resources (<https://dnr.wi.gov/topic/wetlands/mapping.html>).

Policies

1. Generally prohibit new structures and limit impervious surfaces in these areas. Continue to direct nonfarm development away from these areas.
2. Maintain areas as agricultural or open space use.
3. Require erosion control practices for all land disturbing activities as required by Dane County.
4. Support programs to restore natural vegetation, remove invasive species and improve habitat in these areas.
5. Where there are disputes over mapped wetlands or floodplains, onsite field testing will be required and reports filed with appropriate agencies.

Public/Institutional

This land use category includes properties owned by the Town, the school district, Dane County, non-profit organizations, and religious institutions.

Appropriate Zoning Districts

Institutional buildings are allowed in the County's future zoning districts of TND-R, TND-M, GC and HC and as a conditional use in the County's RM, RR, SFR, TFR, MFR, LC, RI, and MI zoning districts.

Policy

1. The Town will not require an amendment to the Future Land Use Map prior to the approval of a proposed public or institutional use in an area that is currently mapped for another future land use.

Mineral Extraction

This category includes existing quarries within the Town. This Plan does not identify new quarry lands, but it is recognized that appropriate geological features exist in the Town for mineral extraction.

Appropriate Zoning Districts

A mineral extraction is a conditional use under the County's future FP-35, FP-B, AT, RM, RI, and MI zoning districts. There are no zoning districts in the proposed County zoning that mineral extraction is a permitted use without a conditional use permit.

Policies

1. The Town may allow the opening or expansion of approved sites, or the establishment of new sites with a plan amendment, provided the following criteria are met:
 - a. Compatibility with Neighboring Existing Uses - The establishment, maintenance, or operation of the site shall not conflict with adjacent approved uses, subject to appropriate discussion and review.
 - b. Preservation of Public Health and Safety - The establishment, maintenance, or operation of the site shall not be detrimental to or endanger the public health, safety, comfort, or general welfare.
 - c. Positive Cost-Benefit Analysis - The establishment, maintenance, or operation of the site shall balance the risk with the positive business of employment, tax revenue, and need of natural resources for all citizens.
 - d. Compatibility with Proposed Uses - The establishment, maintenance, or operation of the site shall not impede the planned and orderly development of the surrounding properties for uses permitted in the area.
 - e. Protection of Wetlands and Water Quality - Operation of the site shall meet and satisfy all State and County criteria regarding wetlands and water quality impacts of the proposed extraction operation.
 - f. Protection of Air Quality - Operation of the site shall meet all applicable State and Federal air quality standards.
 - g. Required Maintenance of the Site - Adequate access roads, drainage, noise and dust controls, visual barriers, and other site improvements shall be provided by the landowner, renter, or lessee.
 - h. Required Operational and Reclamation Plans - Site operation plans and specific, detailed reclamation plans shall be provided by the landowner, renter, or lessee.

- i. Transportation analysis - Applicant will be required to provide for a traffic impact study and impact on roads. If there is potential damage to Town roads, the applicant will be required to cover the repair of the road.
2. The Town will require an applicant for any opening or expansion of a mineral extraction site to provide a detailed mineral extraction operation plan, which will include the following:
 - a. Site Map - A site map showing the areas to be mined, plus all access roads, all rights-of-way, all structures, any surface drainage features, and all utilities, within 1/4 mile of the property lines of the site.
 - b. Zoning and Site Characteristics - Information about the site, including the zoning district of the site and all adjoining and adjacent parcels.
 - c. Description of Activities - A description of the mineral extraction activities, including but not limited to methods and procedures to be used.
 - d. Hours of Operation -The hours of operation, and whether or not blasting will be conducted on site.
 - e. Noise Mitigation Efforts - How the operator intends to limit the noise exposure to properties within a 1/2 mile.
 - f. Schedule of Operations - A timetable for completion of various stages of the mining operation, including a date when the extraction operation and reclamation will be complete and the CUP terminated.
 - g. Reclamation Plan - A site reclamation plan, which will be implemented upon completion of extraction activities, must be approved by the Town Board. Reclamation must begin once the extraction activities have ceased for a period of 3 months.
3. The Town will require mining operations to comply with all procedures and operations described in Dane County ordinance 10.191, as well as meet the following conditions:
 - a. Fencing and Signage - A fence (4 ft in height) shall surround all mineral extraction areas, which shall be at least ten feet from the top edge of a slope of the mineral extraction operation. The fence shall be posted with "Warning" signs. A gate shall be erected across all access roads, which shall be kept closed and locked whenever there is no authorized activity being conducted on the site.
 - b. Blasting Documentation -The applicant shall submit written proof that any proposed blasting is within the limitations set by the Wisconsin Department of Commerce. In addition, the applicant must provide a process to review claims of structural damage to neighboring uses and ways to compensate landowners for any damages. The Town must approve this process.
 - c. Regulatory Documentation - The applicant must submit evidence that all applicable regulations of Dane County, the Wisconsin Department of Commerce, the Wisconsin Department of Natural Resources, the U.S. Department of Labor's Mine Safety and Health Administration, and the Occupational Safety and Health Administration have been met.
 - d. Appropriate Uses and Operations for the Site - The conditional use shall conform to all applicable regulations of the district in which it is located. This limits other uses beyond the mineral extraction, such as hot blacktop mix and ready-mix concrete operations that would require separate permits. It also relates to certain uses, which are allowed only in other zoning districts, such as commercial truck repair or sales.

Utilities

By State Statute Towns cannot restriction the location of communication utilities. The Town currently under Dane County's zoning, and utilities are allowed in all of the County's zoning districts except NR. However, the Town encourages co-location of facilities, quality landscape screening of the base, and any attempt to make the towers blend into the landscape so as to not disrupt the rural character.

Future Urban Development

Despite the Town's future land use recommendations, there are large portions of the Town for which the Cities of Verona, Madison, and Fitchburg can control future land use by halting lot splits with their extra-territorial jurisdiction (ETJ) authority. On the Boundary Agreement Map 9.3 areas adjacent to the City of Verona and labeled "City Growth Area" are expected to be developed by the City within 10 years, for example, the North Neighborhood Plan for the City of Verona. Thus, the Town's future lands in these areas represent existing uses. Some neighborhoods are projected by the City of Verona expansion into areas designed joint "City/Town Interest Area", such as the Northwest Neighborhood Plan, which is north of HWY PD and west of Woods Road. The City of Verona expects to ultimately expand into the City/Town interest areas, but may allow Town development that does not conflict with City plans. Lastly, Town development within the City of Madison and City of Fitchburg ETJ is subject to City approval of lot splits. Land use designations in these areas represent the Town's desired uses, but development may or may not be approved by the Cities. In order for the Cities to annex Town land, it must be adjacent to an existing City boundary.

9.5 Amending the Future Land Use Map

The Town recognizes that from time to time it may be necessary to amend the future land use map to account for changes in the current planning environment that were not anticipated or changes in land use requested by landowners. A property owner may petition for a change to the Future Land Use Map by the end of December of odd numbered years and this request will be considered by the Plan Commission, the Joint City-Town Plan Commission if appropriate, the Town Board and appropriate Dane County Committees. The Town will consider petitions based on the following criteria:

1. **Agricultural Criteria:** Applicant will need to show how the proposed change will not have significant impact on the rural character of the area. Land in the transitional agriculture category will be eligible for changes to appropriate zoning districts as determined by Plan Commission and Town Board. There will be strong emphasis place on maintaining agriculture operations on prime farm land.
2. **Compatibility Criteria:** The proposed land use change will not have a substantial adverse effect upon adjacent property or the character of the area, with a particular emphasis on existing agricultural operations. A petitioner may indicate approaches that will minimize incompatibilities with adjacent property and proposed land use.
3. **Natural Resources Criteria:** The land does not include important natural features such as wetlands, floodplains, steep slopes, or scenic vistas, which will be adversely affected by the proposed development. The proposed building envelope is not located within the setback of shoreline and floodplain zones. The proposed development will not result in undue water, air, light, or noise pollution. Petitioner may indicate approaches that will preserve or enhance the most important and sensitive natural features of the proposed site. If the land is wooded then the applicant will need to show how the changes will have a minimal impact on the

wooded area.

4. Emergency Vehicle Access Criteria: The lay of the land will allow for construction of appropriate roads and/or driveways that are suitable for travel or access by emergency vehicles.
5. Ability to Provide Services Criteria: Provision of public facilities and services will not place an unreasonable burden on the ability of the Town to provide and fund those facilities and services. Petitioners may demonstrate to the Town that the current level of services in the Town, including but not limited to school capacity, transportation system capacity, emergency services capacity (police, fire, EMS), parks and recreation, and potentially water and/or sewer services, are adequate to serve the proposed use. Petitioners may also demonstrate how they will assist the Town with any shortcomings in public services or facilities.
6. Adherence to Other Portions of this Plan: The proposed land use change is consistent with the general vision for the Town, and the other goals, objectives, and policies of this Plan.

9.6 Interpreting Map Boundaries

Where uncertainty exists as to the boundaries of districts shown on the Future Land Use Map, the following rules will apply:

1. Boundaries indicated as approximately following the centerlines of streets, or highways will be construed to follow such centerlines.
2. Boundaries indicated as approximately following platted lot lines or U.S. Public Land Survey lines will be construed as following such lot lines.
3. Boundaries indicated as approximately following municipal boundaries will be construed as following such boundaries.
4. Boundaries indicated as following railroad lines will be construed to be midway between the main tracks.
5. Boundaries indicated as following shorelines and floodplains, will be construed to follow such shorelines and floodplains, and in the event of change in the shorelines and floodplains, it will be construed as moving the mapped boundary.
6. Boundaries indicated as following the centerlines of streams, rivers, canals, or other bodies of water will be construed to follow such centerlines.
7. Boundaries indicated as parallel to extension of features indicated in the preceding above will be so construed. The scale of the map will determine distances not specifically indicated on the map.