

design considerations, along with prohibitions against additional division of land or ownership. The town may also include a “sunset” provision on conditional use permits that would expire the permit upon sale of the property to an unrelated 3<sup>rd</sup> party.

13. Mineral Extraction operations are a conditional use in the Exclusive Agricultural Zoning District, which is the predominant zoning district in the Town. The Town shall discourage non-farm residential development near existing or proposed mineral extraction operations. Where any residential development request is made within one half mile of a mineral extraction site, a warning will be placed on the deed noting that mineral extraction may occur at some point in the future.

14. Limited Intra-Ownership Transfer of Development Rights Program

To further the goal of preserving large tracts of productive agricultural land and high quality soils, limited transfers of splits may be permitted under the criteria and standards listed below. The town has established a two-tier policy to guide potential transfers of development rights.

A. *Transfers between multiple original farm units currently under single ownership.*

- i. A minimum of 35 acres from each original *May 3, 1979* farm unit must currently be under single ownership. For the purposes of this policy, single ownership is defined as contiguous parcels owned by one individual or by a married couple, partnership, or corporation including that individual.
- ii. The proposed transferring parcel must clearly have a split available under the town’s density policy based on contiguous ownership as of *May 3, 1979*.
- iii. Any transfer proposed under this policy shall be subject to the phasing limitation of no more than 1 split per 5 years. Proposals involving multiple original farms shall be limited to transferring 1 split per farm per 5-year period.
- iv. Appropriate documentation must accompany any transfer, including, at a minimum, a deed restriction and/or agricultural conservation easement on the sending parcel identifying a minimum 35 acres of land, or amount of land commensurate to the number of splits transferred, to be preserved exclusively for long-term agricultural use. Such documentation shall also indicate the number of splits remaining, if any, on the remaining lands of the sending property.

Receiving parcels shall also be accompanied by a notice document indicating that the property received a split(s) from the sending property. All such documents must include

appropriate legal descriptions of the properties involved, and must be recorded with the Dane County Register of Deeds.

B. *Transfers between multiple owners.*

- i. The town may consider transfers of splits between multiple owners on a case-by-case basis. Any such transfer must further the goal of preserving large tracts of productive farmland.
- ii. Transfers of splits to substandard parcels may also be considered, provided that any such transfer would satisfy the town's 1.5 acre minimum lot size requirement for all resulting lots, and be compatible with the overall density and character of the area.
- iii. Appropriate documentation must accompany any transfer, including, at a minimum, a deed restriction and/or agricultural conservation easement on the sending parcel identifying a minimum 35 acres of land, or amount of land commensurate to the number of splits transferred, to be preserved exclusively for long-term agricultural use. Such documentation shall also indicate the number of splits remaining, if any, on the remaining lands of the sending property.

Receiving parcels shall also be accompanied by a notice document indicating that the property received a split(s) from the sending property. All such documents must include appropriate legal descriptions of the properties involved, and must be recorded with the Dane County Register of Deeds.

- iv. The town may, at its sole discretion, deny any proposed transfer to a substandard parcel.