

5. The proposed development must meet all land use standards of the Comprehensive Plan.
6. Development rights shall not be transferred into protected areas such as floodplains, wetlands, or the Ridgetop Protection Area.

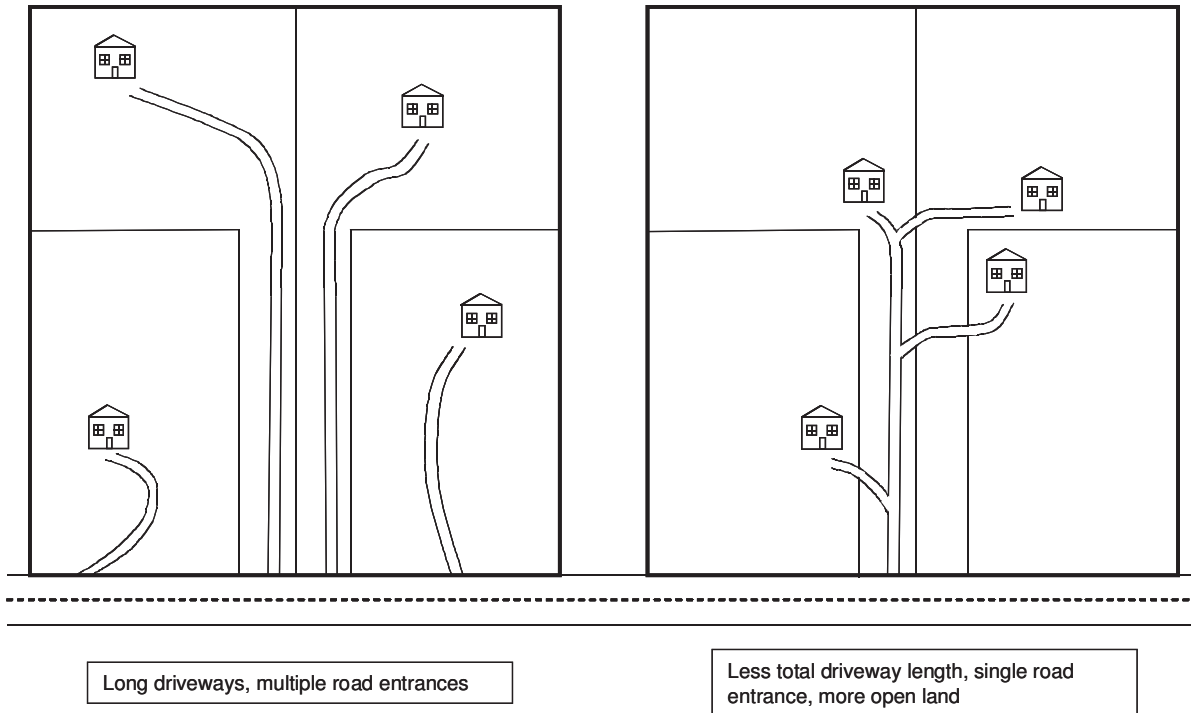
If in the future Dane County establishes a program for transferring development rights between towns, the Town of Vermont may consider participating in a way that helps achieve the goals of this Plan. The Town's participation would likely be limited to acting as a sending area for development rights. Such participation could allow landowners to recover some of the value of their land while protecting its rural character and natural beauty. The Town would not favor becoming a receiving area for development rights from outside the Town, which would likely involve allowing development at a greater density than our current one-per-35-acre standard.

10.3 Siting

Non-farm residential development will be limited to areas that are not deemed essential to agricultural pursuits or the rural environment of the town.

1. The site and the buildings should be located so they are compatible with the rural character and natural beauty of the town. For example, buildings with simple lines, in sheltered locations, are compatible with the traditional farmsteads typical of the town. Buildings that are hidden from view, screened by trees and topography, using roofing and siding materials that blend with the surrounding area, tend to be compatible with the natural beauty.
2. Where development is proposed to be located in open fields or meadows, the site must be evaluated for agricultural significance.
3. Buildings proposed to be located in agriculturally significant fields will only be allowed if located on the edge or corner of a field.
4. For development proposed on agriculturally significant land, no more than 3 acres total for driveway, septic, dwelling and outbuildings may be removed from availability for agricultural use.
5. Suitability for septic tank systems must be shown by test results of a state certified soil tester.
6. Minimum lot size for rezoning is two acres.
7. Building location must minimize loss of trees and grading of land.
8. The natural appearance of ridges, ridgetops and ridge shoulders shall be preserved to the maximum extent possible. Buildings located above the shoulder of a ridge must comply with the requirements of Section 10.4, Ridgetop Protection.
9. Note that Dane County Ordinance 75.19(6)(b) requires that each residential ownership parcel of less than 35 acres must front on a public road for at least 66 feet.

When property is being divided to create multiple home sites, it is often advantageous to place them relatively close to each other. With appropriate screening of homes, such an arrangement can provide for shorter driveways and smaller total developed area, while preserving wider expanses of open, undeveloped land.



10.4 Ridgetop Protection

Ridgetop building is a serious and contentious issue in the Town of Vermont. We encourage applicants to construct their buildings below rather than on top of ridges and high hills, for several reasons. A building located below the crest of a hill causes less impact on the natural beauty and rural character that we seek to preserve. Buildings below the ridgetop generally require shorter and less steep driveways, which are less expensive to construct and maintain, and cause less environmental impact. Owners find that buildings below the ridges are not subject to the noise from great distances and the high winds that are experienced on the hilltops. We recognize that construction within this area may also have special implications with respect to energy use, winter road safety and emergency vehicle access, and erosion damage.

The Ridgetop Protection Area (RPA) is established not to prohibit building on ridgetops, but to minimize the impact of ridgetop building on the natural beauty and rural character of the town. Residences and residential accessory buildings within the RPA are subject to special conditions designed to limit their scale and their visibility from neighbors, from roads, and from other ridgetops.

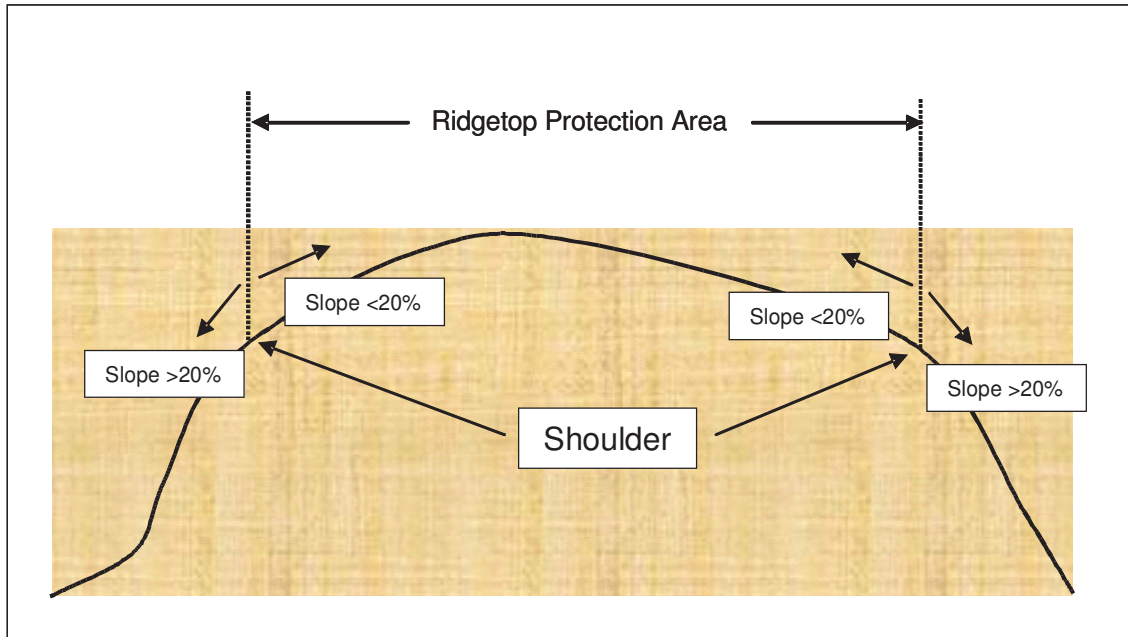
The (RPA) is defined as any location that is located above the *shoulder* of the ridge. The *shoulder* is the point at which the local slope changes from greater than 20% to less than 20%.

To facilitate protection of this area, all new residences and residential accessory buildings located within the RPA are subject to the following constraints:

- The maximum height is limited to 24 feet. The maximum height is measured from the high point of the building to the average ground level around the building. The average ground level is the average of the ground level measured at each corner of the building. The ground level at each point is the original natural ground level or finished ground level, whichever is lower.
- External attachments such as chimneys, lightning rods, and antennas are not included in the height measurement.

- Buildings existing at the time of adoption of this plan are not subject to the height limit. Additions to existing buildings must comply with the height limit.
- Farm accessory buildings are not subject to the height limit.

We recognize that the visual screening provided by trees is temporary. At its discretion, the Plan Commission may consider such screening when evaluating development proposals.



Definition of Ridgetop Protection Area

10.5 Driveways

The Town's interests in regulating driveways include ensuring safety for current and future owners, preventing excessive erosion, and minimizing visual impact. We encourage driveways that are short, with gentle slopes and minimal excavation.

1. Any person seeking to establish, construct, improve, modify or rework a driveway which changes the existing topography of the land shall first apply for a Driveway Permit from the Town Board.
2. Driveways must meet the requirements of the Town Driveway Ordinance, including safe passage for emergency vehicles, maximum driveway grade, and maximum side-slope steepness. Driveway planning should take into account natural topography and erosion concerns, and minimize long steep grades. Longtime residents understand that long steep driveways can pose significant safety and maintenance problems. Even the best-engineered driveways require regular filling and grading to repair the gullies that result from summer rainstorms. And a grade that is easy to negotiate on a dry sunny spring day can become precarious or even hazardous in the midst of winter snows.
3. A shared driveway may be preferable to multiple individual driveways for environmental or safety reasons. One driveway shall serve no more than four residences. Shared driveways must meet the requirements of the Town Driveway Ordinance for turnout lanes, access easements, and maintenance agreements.
4. Roads or driveways may be permitted to cross agricultural land to reach proposed non-

farm development if minimal farmland is removed from production.

5. All driveways shall be constructed and maintained to meet the erosion protection requirements of Section 7.2. A driveway plan showing the location of the driveway, existing and final slopes, cuts, fills and potential erosion problems must be submitted before a driveway permit will be issued. Under some conditions, the Town Board may require an engineer's plan.
6. A driveway must be approved by the town's Driveway Committee before construction of the associated residence or building may begin.

The State Department of Transportation (DOT) has proposed instituting access restrictions along Highway 78 in the town. As of September 2008, this proposal appears to be on hold, but will likely reappear within the next 20 years. If these access restrictions are approved, the DOT would have some review authority over proposed driveways entering Highway 78.

10.6 Future Land Use

The intention of this plan with regard to future land use is to maintain the rural character of the town, with no concentrated commercial development or residential subdivisions.

All land within the town falls in one of three classifications for future development: Normal requirements for development, special requirements for development, and unsuitable for development.

The normal requirements for development are as outlined in sections 7.2, 10.1, and 10.3.

Special requirements for development are applied to sites within the Ridgetop Protection Area, described in Section 10.4. In addition to the normal requirements, buildings within this area are subject to a height limitation.

Land that is unsuitable for development include wetlands, and sites that are not accessible by a driveway that meets the requirements of Section 10.4. Land with no remaining Potential Development Rights, as described in Section 10.1, is unsuitable for new home construction.

11. Intergovernmental Cooperation

As a primarily rural town, the Town of Vermont relies on cooperation with neighboring communities and governmental entities to provide essential services to residents. Except for road maintenance and local government, the Town has no facilities for providing public services.

The Town of Vermont shares borders with the Dane County towns of Blue Mounds to the south, Black Earth to the north, and Cross Plains to the east. The Iowa County towns of Brigham and Arena border Vermont on the southwest and northwest, respectively. Vermont also shares corners with the Dane County towns of Springdale and Berry to the southeast and northeast. The Villages of Mount Horeb and Blue Mounds are both located south of Vermont, and the Village of Black Earth is located to the north. These villages' extraterritorial zoning jurisdictions, where the villages have input into zoning changes, extend into the Town of Vermont.

The Town relies on a number of Dane County ordinances to regulate land use in the Town, including Dane County's zoning ordinance, floodplain zoning ordinance, land division ordinance, subdivision ordinance, erosion control and stormwater management ordinance, shoreland/wetland zoning ordinance.

The Town is served approximately 50/50 by two school districts (see map). The southern half of the