

CHAPTER 8: LAND USE

INTRODUCTION

The Town of Pleasant Springs is located in a picturesque area of Dane County that offers many opportunities. The town generally has a rural character, with many fine farms on productive agricultural soils. Urban influences are increasing with the City of Madison only a few minutes away via Interstate 39/90, which crosses the northern part of the town. To the south, the City of Stoughton continues to annex productive farmland from the town. The western portion is dominated by Lake Kegonsa, development around the lake, and Lake Kegonsa State Park. Lake Kegonsa, which is the fourth of the Yahara River’s chain of lakes, provides recreational opportunities to many residents and visitors.

Over the years, a number of developments have been created within the town. These developments result in greater demand for public services. While the town is not opposed to growth and development, there is concern that such development be properly planned and located. The town has adopted subdivision and land division ordinances to ensure planned growth and development. Other concerns include preservation of agricultural land; protection of sensitive environmental areas, especially as they relate to Lake Kegonsa and the Yahara River; and encouragement of wise and efficient use of other resources.

The town was one of the first in Dane County to begin participating in the state’s farmland preservation program, adopting the county’s state-certified farmland preservation zoning district (A1-EX Exclusive Agriculture) on June 6, 1978. The adoption ensured that preservation of farmland and rural character became the single most significant and unambiguous statement of land use policy for the town. Further, the Plan Commission and Town Board have been diligent in the application of the adopted policies and guidelines of the Town of Pleasant Springs Land Use Plan. First written and adopted in October 1978, and subsequently amended in September 2002, the town’s original land use plan established the goals, objectives, and policies that have protected the town’s rural character and quality of life for over 3 decades. The original land use plan was adopted in its entirety, providing the foundation for the town’s comprehensive plan, which was adopted in 2006 and most recently updated in 2016-17.

The land use objectives and policies for the Town of Pleasant Springs provide direction for citizens and officials in making decisions about future growth and development. The town’s land use policies range in nature from general to highly detailed.

The policies have been closely coordinated with relevant provisions of the Dane County Code of Ordinances. The policies are considered in combination with other appropriate policies, and follow the various land use regulatory powers granted to the several levels of government.

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Pleasant Springs Land Use Quick Facts*

Land area: 21,085 Acres	Residential: 1,223 Acres	Recreational: 744 Acres
Agricultural: 12,207 Acres	Commercial: 66 Acres	Woodlands: 1,796 Acres
Wetlands/Floodplains: 4,770 Acres	Trans/Util/Communications: 1,171 Acres	Open: 3,501 Acres

*Totals as of June, 2017

DEVELOPMENT FACTORS

A wide range of factors will ultimately affect land use in Pleasant Springs. A number of these are naturally occurring, such as wetlands, hydric soils and navigable waterways. These and other environmental features affecting land use in the town are depicted on various maps attached to this plan.

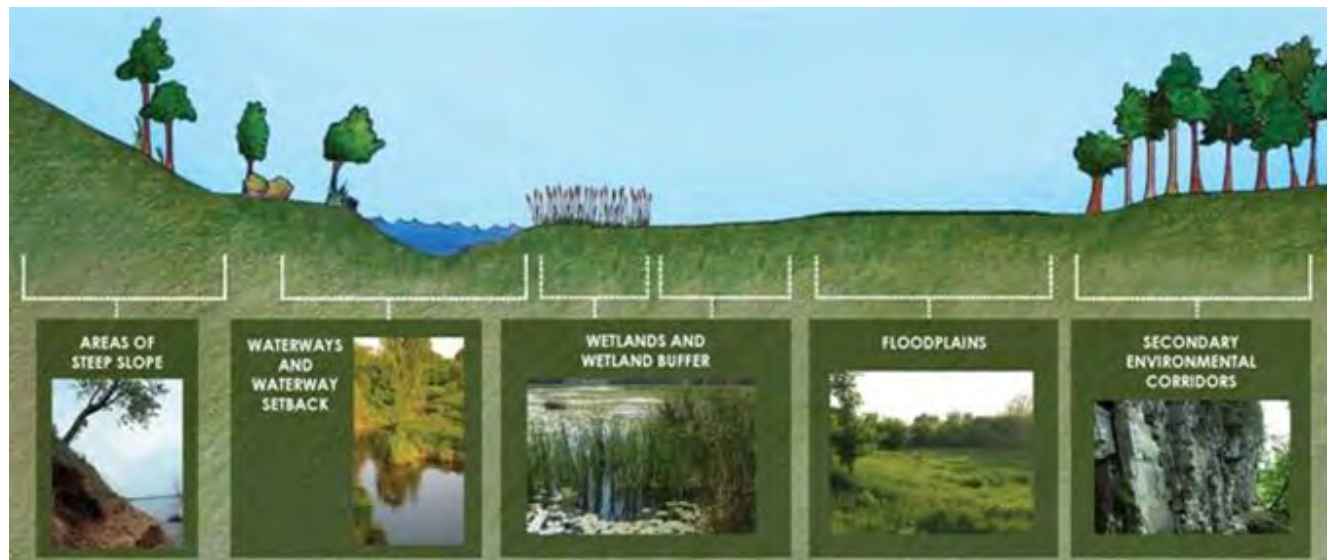
Wetlands and floodplains are found along the Yahara River, and throughout various other areas of the town. In addition, hydric soils are found in many other areas. Hydric soils are defined as soils that are formed under conditions of saturation, flooding or ponding long enough during the growing season to develop anaerobic conditions in the upper part. They are one of three criteria used for delineating wetlands, therefore the presence of hydric soils indicates that the presence of wetlands should be considered.



Some smaller areas having steep slopes, or slopes greater than 12 percent, are also found throughout Pleasant Springs. Although these slopes do not prohibit development, they create additional considerations including a greater need for post-development erosion control, and issues with road construction, maintenance, and safety. It is also important to recognize that areas with slopes greater than 12 percent are typically designated as environmental corridor at the time the land is brought into an urban service area.

The majority of the town is considered prime farmland, based on soil characteristics as classified by the U.S. Department of Agriculture, Natural Resources Conservation Service according to their suitability for growing most kinds of field crops. Soils are grouped into 8 different classes; Class I, II, and III are considered prime farmland.

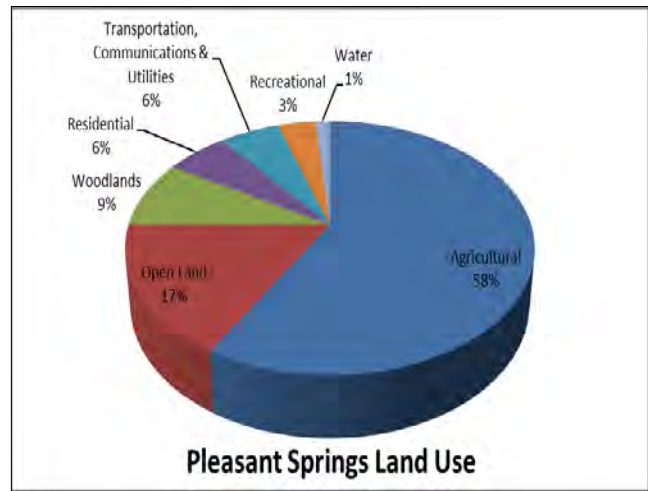
A small area of the town, adjacent to Stoughton, is designated as environmental corridor. Environmental corridors, as delineated by the Community Analysis and Planning Division of the Dane County Planning and Development Department, are systems of open space within the urban service area that include environmentally sensitive lands, natural resources requiring protection from disturbance and development, and lands needed for recreation and open space. These areas are delineated to help local governments and other agencies make decisions regarding the location of development.



GENERAL LAND USE GOALS, OBJECTIVES, AND POLICIES

The Town of Pleasant Springs is blessed with productive farms, diverse natural resources, quiet neighborhoods, and a picturesque rural atmosphere. The predominant land use in the town is agriculture. Residents value the rural lifestyle and landscape. As illustrated by the survey results, Town residents want to retain and enhance these characteristics long into the future.

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 growing in a responsible, well planned manner while respecting the property rights and responsibilities of landowners.



GOAL:

The Town of Pleasant Springs' primary land use goal is to maintain the quality of life in the town by preserving productive farmland and the rural character of the town.

OBJECTIVES:

1. Avoid siting incompatible land uses in proximity to one another, and minimize the negative effects of incompatible land uses that adjoin each other.
2. Limit residential, commercial, and other types of development to a scale and density compatible with the rural character of the town.
3. Preserve productive agricultural lands.
4. Preserve the rural character of the town.
5. Increase cooperation with governmental agencies regarding implementation of farmland preservation policies and the tax credit program, including possible establishment of an Agricultural Enterprise Area (AEA) in the future.
6. Discourage extensive urban growth around the lake and river to avoid the deteriorating effect of urban runoff on water quality and the need to provide additional public services.

GENERAL POLICIES:

1. Establish residential density policies and regulations that result in the protection of valued resources and recognize existing physical limitations (e.g., woodlands, water).
2. Preserve environmental corridors (defined as linear areas in the landscape containing concentrations of natural resource amenities, as well as scenic, recreational, and historic resource amenities.)
3. Protect scenic vistas and slopes over 12% by restricting development in these areas.
4. Require that rezoning or development proposals comply with all applicable provisions of this plan.
5. Establish land use review procedures that ensure town officials and residents are adequately informed when making decisions on land use proposals, particularly larger scale projects that could have impacts on neighboring properties or the town as a whole. Such procedures may include, but are not limited to, pre-application meetings, notification of, and opportunities for public and neighborhood input, project-specific submittal requirements, development of neighborhood or project plans, assistance from independent outside experts/consultants, ongoing consultation throughout project, and any other requirements deemed necessary to ensure the town has adequate information upon which to conduct its review.

6. The cost of land development shall be the responsibility of the developer. Costs may include, but are not limited to, preparation of site plans, developer's agreement, town legal fees, parkland dedication fees, survey instruments, sewer service / utility extensions, and road or other necessary or required improvements.
7. Buffer areas or screening may be required between incompatible land uses to minimize potential negative effects. Buffers may include areas of open space, landscaping, fencing/screening, noise abatement, or lighting restrictions.
8. Continue to enforce the Uniform Dwelling Code.
9. Apply siting and design criteria to ensure development projects are aesthetically pleasing and protect the public health, safety, and welfare. Particular attention will be paid to the siting and design of residential and/or commercial projects proposed in community entryways or other areas of high visibility within the town.
10. Encourage the preservation of important views and landmarks in order to maintain visual character and reinforce community identity. Development should be directed away from prominent vistas, historic structures, century farms, cemeteries, and other natural features or landmarks that contribute to the rural character of the town.
11. Ensure that development of new communication towers is consistent with Dane County's ordinance regarding the procedure and standards for the placement, construction, or modification of communication towers, and with all applicable local, state, and federal laws. Towers should be sited in a manner that minimizes the aesthetic and environmental impact on surrounding property and the rural character of the town in general. The town may consider the potential visual and aesthetic impact of a proposed tower site as one of many factors when acting on a tower Conditional Use Permit application. The town may also apply other applicable siting criteria and standards when reviewing proposals.
12. Implement and enforce the provisions of this plan **consistently**.
13. In keeping with the objective of preserving farmland and rural character and limiting non-farm residential use to a low density, generally single-family residential zoning is appropriate. Housing options that accommodate an aging population, including accessory dwelling units and two-family (duplex and/or condominium) use of existing large houses, may be allowed if such proposal protects the rural character of the town, complies with the density standard of the applicable planning area, and satisfies the criteria detailed in the housing element. Since most duplex conversions will involve farmhouses, the Plan Commission and Town Board will have to apply judgment in applying the criteria to specific houses and associated farm buildings.
14. Promote residential development patterns along county highways or town roads that protect the use of roadways for moving traffic and provide an aesthetically pleasing design for low-density rural development.
15. Follow the density standards established by this plan for each of the planning areas identified on the future land use map.
16. Follow the development siting standards and criteria of this plan and abide by the town's goals, objectives, and policies for natural resource protection found in chapter 5 of this plan.

DEVELOPMENT SITING STANDARDS AND CRITERIA

Any proposed development shall comply with the following siting and design requirements. Other requirements may apply to specific proposals as indicated elsewhere in this plan.

1. The minimum parcel size is one (1) acre for new residential development, unless it is in the sewer district.
2. Roads or driveways should avoid crossing agricultural land to reach non-farm development. Generally, "flag lots" or layouts requiring long access roads are discouraged, unless necessary to promote the town's farmland preservation objectives and access the most appropriate building site.
3. Development shall be directed away from soils classified as "prime farmland," "farmland of statewide significance," those areas shown as having severe or very severe limitations for septic tanks (as shown on soils maps), and hydric ("wet") soils. Discretion may be used for sites that consist entirely of soils classified as "prime farmland" or "farmland of statewide significance."
4. No development shall be permitted within the 100-year floodplain of any navigable waterway in the town.

TOWN OF PLEASANT SPRINGS COMPREHENSIVE PLAN

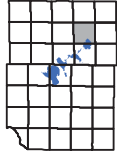
5. Development within environmental corridors, sensitive environmental areas (e.g., wetlands, woodlands), and on slopes in excess of 12% shall be strongly discouraged.
6. The following additional considerations and standards may apply to proposed development. They are intended to promote safety, environmental protection, farmland preservation, and rural character, and to protect neighboring property owners:
 - a. Erosion control and/or stormwater management measures
 - b. Light pollution control (e.g., shrouded lighting)
 - c. Noise abatement measures
 - d. Site design and location (e.g., homesite location/building envelope)
 - e. Landscaping or screening (e.g., natural or man-made buffers between incompatible uses)
 - f. Driveway design, distance, and location

OVERVIEW OF LAND USE PLANNING AREAS

The table below provides an overview of the town’s various land use planning areas, which are delineated on the *Future Land Use Map*. The goals, objectives, and policies contained in the text of this chapter for each planning area apply to the corresponding geographic area shown on the *Future Land Use Map*.











PLANNING AREA	GENERAL DESCRIPTION
Agricultural Preservation Area	Farming and open areas are the predominate uses in this area. Non-agricultural development is limited and governed by the Town’s 1 per 35 acre rule. Creation of new lots will undergo a rigorous review to minimize impacts on the environment and loss of farmland.
Agricultural Transition Area	The Agricultural Transition area includes productive agricultural lands as well as existing residential neighborhoods. In addition to encompassing some high quality farmland, these areas provide community separation between neighboring municipalities that are anticipated to experience growth pressure over the next 20 years. The Agricultural Preservation area policies, including the density policy, shall apply within this area with an emphasis on maintaining community character.
Lake Kegonsa & Lower Yahara River Residential Area	This planning area covers much of the area in the vicinity of Lake Kegonsa and Yahara River. The area corresponds to boundaries of the Pleasant Springs Sanitary District (PSSD), which provides sanitary sewer service to several existing residential subdivisions surrounding the lake and river. The primary goal for the area is to protect water quality and promote the efficient use of public infrastructure.
Interstate Interchange Area	This planning area is designed to provide opportunities for limited retail and highway-related commercial development that provide goods or services required by town residents, or uses that require a rural location with access to the county highway network and interstate. This planning area is not intended to accommodate any major commercial development requiring the full range of urban services (sewer, water, fire, police).
Rural Mixed Use Area	The Rural Mixed Use planning area is designed to accommodate a mix of agricultural uses, rural residential uses, and limited family-run rural business uses requiring a rural location and access to the County Trunk Highway network. Establishment and operation of rural businesses in this area should be compatible with the rural character of the town and existing, neighboring land uses.
Resource Protection Overlay Area	The Resource Protection Area is an overlay planning designation that corresponds to sensitive environmental features, including lakes, rivers, perennial and intermittent streams and drainageways and their associated floodplains, wetlands. The designation also includes significant woodlands and areas of steep slope topography over 12% grade.

Town of Pleasant Springs



Future Land Use

Land Use Planning Areas

-  Lake Kegonsa & Lower Yahara River Residential Area
-  Interstate Interchange Area
-  Rural Mixed Use
-  Transitional Agriculture
-  Farmland Preservation
-  Resource Protection Overlay *
-  Proposed Off-road Bicycle and Pedestrian Trail
- Bike Path**
 -  Existing
 -  Proposed
-  Municipal Boundary

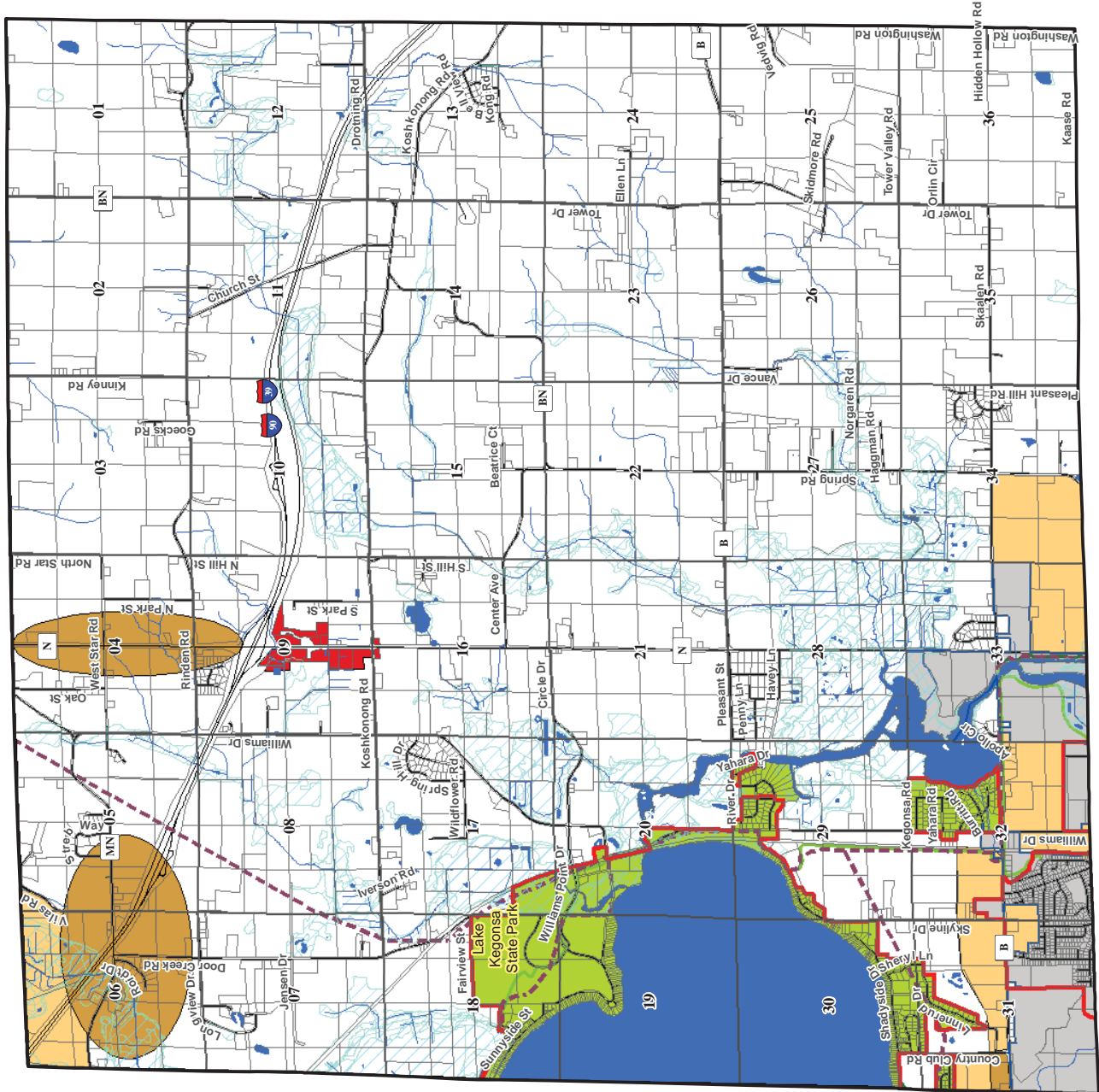
*The Resource Protection Overlay is comprised of Wetlands, 100 Year Floodplain, Surface Water, areas within 75 feet of Surface Water, steep slopes as identified in the community land use plan.

Jul., 2017



Source Info:
 Urban Service Area: 2017, (CARPC)
 Municipal Boundary: 2017, (DCPD)
 Tax Parcel Boundary: 2017, (DCPD)
 Zoning: 2017, (DCPD)

This map was prepared through the Dane County Department of Planning and Development in conjunction with the Dane County Land & Water Resources Department, Dane County Land Information Office and the Capital Area Regional Planning Commission



AGRICULTURAL PRESERVATION AREA

DESCRIPTION

The Town has established the Agricultural Preservation Area as a means of preserving agricultural lands and rural character throughout the town while providing opportunities for limited non-farm development. This designation will also serve to promote continued investment in agricultural operations by ensuring that incompatible land uses are directed to areas that will minimize interference with farming activities.



The primary land use policy within this area is the density policy, which limits the density of development to one residence or other non-farm development to one unit per 35 gross acres, as detailed under the density policy, below. This area encompasses the most land within the town and includes productive farmlands, farm dwellings and other agricultural land uses, pastureland, woodlots, and scattered non-farm single family dwellings. The policies for this area 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.

GOAL:

Preserve as much prime agricultural land in the town as possible and support existing farm operations.

OBJECTIVES:

1. Limit non-farm residential development to a low density and investigate land use tools like Transfer of Development Rights.
2. Apply farmland preservation policies as the primary determinant in future zoning and other land use decisions.
3. Cooperate with governmental agencies in implementing farmland preservation policies and the tax credit program.
4. Implement land use measures that will discourage and prevent non-farm development in the agricultural preservation area.
5. Continue to make decisions that are consistent with maintaining eligibility for those farm operators who participate in the tax credit program.
6. Consider establishing an Agricultural Enterprise Area in the town to encourage long term preservation of agricultural land.

POLICIES:

1. Residential and other non-farm development is limited to those areas with soils not classified as prime farmland or of statewide importance and those areas not shown as having severe or very severe limitations for septic tanks (as shown on soil maps). Development shall comply with the town's siting standards and criteria detailed below.
2. The density is limited to one lot, residence, or other countable non-farm use (also referred to herein as "split", or "density unit") per thirty-five (35) gross contiguous acres of land owned as of June 6, 1978. This is the date when farmland preservation zoning was enacted in the Town of Pleasant Springs. The following details shall be used to implement the density policy.
 - a. **Rounding:** This policy is meant literally with no fractions allowed. For example, a 100 acre original farm unit would be eligible for 2 density units, not 3.
 - b. **Determining original farm acreage:** The 1978 Rockford Maps plat book shall be used as a guide to determining original farm ownership. The current year tax records shall be referenced to determine the gross acreage of the

contiguously owned property as of June 6, 1978. Lands separated by a road or other public right of way, or land touching at a single point, are considered contiguous for the purposes of determining original farm acreage. Gross acreage may include land in road or other public rights-of-way. The town will consider detailed survey information, or historical tax record data, if the contiguous acreage determination is disputed.

- c. **Original farm residences:** Any residences, farm or non-farm, count toward the one lot or residence per thirty-five (35) gross acres overall density.
 - d. **Other development:** Other development may also count toward the density limitation. The following shall be counted as a density unit:
 - I. Communication towers.
 - II. Any commercial development in the agricultural preservation areas or transitional agriculture area requiring a rezoning out of a certified farmland preservation zoning district. The Town Plan Commission and Board shall apply discretion when considering whether or not commercial zoning changes occurring prior to 2006 count against the density limitation.
 - III. Land sales and division or easements granted to public entities (e.g., Dane County Parks, US Fish & Wildlife, WISDOT, WIDNR) shall count against the density policy unless sufficient evidence is provided documenting that the sale, division, or easement did not involve a density unit.
 - IV. Residences for farm owners or operators.
 - e. **Annexed lands:** Lands annexed to a city or village shall lose all eligible density units afforded under the town density policy. Lands for which an annexation petition has been filed shall have all eligible density units afforded under the town density policy frozen and unavailable for any action. Lands for which an annexation petition has been filed, and subsequently denied by the city or village, shall be removed from abeyance (unfrozen) and again made available for action under the terms of the town's density policies. The amount of land annexed, or proposed for annexation, to a city or village shall be subtracted from the original 6/6/78 farm unit when determining the remaining eligible density under the density determination procedure. For example, if 20 acres of a 105 acre original 6/6/78 farm (3 splits) is annexed to a city or village, the density calculation will be based on 85 acres (2 splits).
 - f. **Documentation required:** For proper tracking of splits from "original farmsteads" as of June 6, 1978, land sales should be accompanied by a note on the deed, affidavit, or separate agreement filed with the register of deeds indicating if the sale includes a split, and if so, how many according to the town of Pleasant Springs's policy. Prior to such sales, property owners or prospective buyers are strongly encouraged to contact Dane County and the town for review and consultation.
 - g. **Agricultural lots:** Proposed rezonings to the county's Small Lot Exclusive Agriculture zoning district shall not count as a split, provided such lots are associated with a permitted residential lot, or are part of an active farm operation.
3. The town has adopted the following policies to deal with "substandard", parcels that are less than 35 acres in size and zoned A-1EX (farmland preservation), and in existence and unaltered since 6/6/1978.
 - a. Vacant, legal, substandard A-1EX zoned parcels between 1 and 35 acres in size in existence since 6/6/1978 are permitted to rezone to an appropriate district to allow one single-family home, provided that the property has suitable soils for a septic tank absorption system, and can meet the town's development siting criteria.
 - b. Substandard parcels with an existing residence are not permitted to divide.
 - c. Illegally created parcels and substandard parcels are not permitted to divide.
 - d. Illegally created parcels with an existing residence may be permitted to rezone to an appropriate district to bring the parcel into compliance.
 - e. Building rights of a substandard parcel cannot be transferred to another parcel.
 4. The town has adopted the following policies to deal with "substandard" parcels that are less than 35 acres in size and zoned A-1EX, and have been in existence since 6/6/1978 and have been combined with other lot(s) to form a conforming zoning lot of greater than or equal to 35 acres in size.

- a. Based on the June 6, 1978 legal substandard status, the density unit remains with the once substandard parcel and may not be transferred to another parcel.
- b. Vacant, legal, substandard A-1EX zoned parcels between 1 and 35 acres in size in existence since 6/6/1978 are permitted to rezone to an appropriate district to allow one single-family home, provided that the property has suitable soils for a septic tank absorption system, and can meet the town’s development siting criteria.
- c. Substandard parcels with an existing residence are not permitted to divide.
- d. Illegally created parcels are not permitted to divide.
- e. Illegally created parcels with an existing residence may be permitted to rezone to an appropriate district to bring the parcel into compliance.
- f. Substandard parcels that are bisected by a road, are considered contiguous for the purposes of this policy and are eligible for only a single building site (if vacant). Such substandard lots bisected by a road with an existing residence are not eligible for division or further residential development.

Dane County Density Analysis

- 5. Landowners proposing to divide land for residential or other development will be required to obtain a “density analysis” from the Dane County Department of Planning and Development to determine how many, if any, splits are available. This information will be used by the Town when reviewing development proposals. Any costs incurred in the process of determining possible density are the responsibility of the applicant.
- 6. The town will follow the density determination procedure outlined in Appendix A.
- 7. Commercial development within the Agricultural Preservation Area is generally discouraged. Home based, limited family businesses may be allowed if compatible with neighboring uses and the rural character of the town. Any proposed commercial use must comply with the policies listed below.
- 8. Subdivisions are prohibited in the agricultural preservation area. A subdivision is defined as a division of a parcel of land where the act of division creates either: five or more lots, parcels or building sites of 35 acres each or less in area; or five or more lots, parcels or building sites of 35 acres each or less in area by successive divisions within a period of five years.
- 9. Proposals for a new farm residence must abide by the density policy of one residence per 35 acres owned in #2, above, the county’s substantial income test, and the town’s residential siting standards and criteria.

IMPORTANT NOTE: ACREAGE VALUES AND OWNERSHIP HEREIN ARE DERIVED FROM HISTORICAL AND CURRENT RECORDS LOCATED AT THE DANE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT (E.G. GIS, PLAT BOOKS, ZONING PERMIT DATA, CSM'S, ETC). DENSITY POLICIES VARY AMONG TOWNS AND MAY REQUIRE INTERPRETATION.

Public Hearing Date	3/28/2017	Petition Number	11100	Applicant:	Jason Perry
Town:	Pleasant Springs	A-1EX Adoption	6/6/1978	Orig Farm Owner	John Bickley
Section:	29	Density Number	35	Original Farm Acres	63.47
Density Study Date	2/2/2017	Original Splits	1.81	Available Density Unit(s)	0

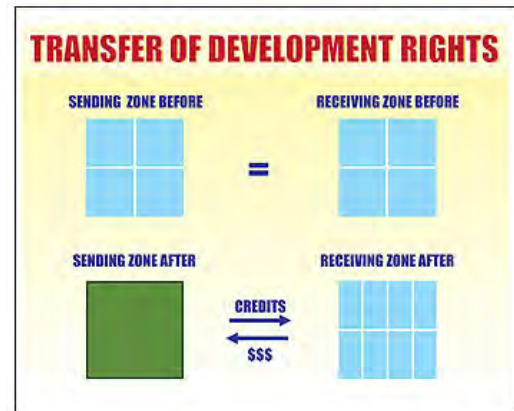
Reasons/Notes:
The property totaled 69 "gross" acres as of June 1978, making the property eligible for one dwelling unit. The existing home on parcel #061129485000 counts as the one home allowed. Proposed separation and replacement consistent with town policies.

Note: Parcels included in the density study reflect farm ownership and acreage as of the date of town plan adoption, or other date specified. Density study is based on the original farm acreage, NOT acreage currently owned.

LIMITED TRANSFER OF DEVELOPMENT RIGHTS PROGRAM

DESCRIPTION

To further the town’s farmland preservation goals, limited transfers of density units between different June 6, 1978 farm units that are currently held in single ownership may be permitted subject to the following conditions, standards, and criteria. The town, at its sole discretion, may expand the TDR program to achieve the town’s farmland preservation goals and objectives. For example, the town may choose to allow transfers of density units between properties owned by different parties, may identify specific receiving areas, or may institute density bonuses designed to incentivize participation in the TDR program. Any such expansion shall be subject to the town’s land use review procedures. All of the following policies, criteria and standards must be met for favorable consideration of a proposed transfer under this policy.



GOAL:

Preserve productive agricultural land by permitting limited transfers of density units to less productive lands.

OBJECTIVES:

1. Promote the clustering of eligible density units on less productive agricultural land and/or land more suitable for development.
2. Provide opportunities for farmers and landowners to maintain large, continuous tracts of productive farmland by enabling the use of eligible density units on other lands under their ownership.

POLICIES:

1. To be eligible to transfer a density unit, the sending and receiving June 6, 1978 farm units must be held in single ownership. Parcels under single/common ownership cannot be added together to yield an additional density unit. For the purposes of this policy, single (aka “common”) ownership is defined as: “Contiguous parcels owned by one individual or by a family, partnership, corporation, or other legal entity, which family or entity includes that individual.”
2. Transfers of density units under this policy shall be at a one-to-one ratio (i.e., one developable/buildable lot for each split transferred), and any such transfer must further the goal of preserving large tracts of quality agricultural land.
3. The town may consider, on a case-by-case basis, transfers of density units between different property owners, provided the sending property is located in the agricultural preservation area and the receiving property is located outside of the agricultural preservation area, or in an area adjacent to an existing rural subdivision.
4. Interested owners should notify the town clerk of their proposal.
5. Applicants under this provision will be required to attend a pre-application meeting between the owner and town and county representatives to discuss the proposal prior to consideration by the Town Plan Commission or Board.
6. Only properties within the town’s Agricultural Preservation Area are eligible to transfer density units under this policy.
7. Lands annexed to a city or village, or lands within the future growth area of a city or village, are not eligible to transfer density units under this provision.
8. Parcels less than 35 acres as of June 6, 1978 cannot transfer a density unit under this policy. Such properties may be suitable receiving areas, provided the town plan commission and board make a finding that a proposal would fit with the character of the neighborhood and satisfies the town’s standards and criteria for siting new development.
9. Land previously deed restricted to no further residential development can receive a density unit under this policy if the following criteria are satisfied:

- a. The deed restriction is removed as part of a rezoning petition.
 - b. The land is of poorer agricultural quality than the sending parcel.
 - c. The receiving parcel is not in the Transitional Agricultural Area.
 - d. The proposed transfer would further the town's overall goals for agricultural preservation.
10. The proposed transferring parcel must have a split available under the Town's Agricultural Preservation Area density policy based on contiguous ownership as of 6/7/78.
 11. Transfers under this policy that would result in a subdivision shall not be permitted.
 12. The proposed transferring (i.e., "sending") parcel must be able to minimally satisfy the Town's development siting criteria. The purpose of this policy is to ensure that only useable density units / splits are transferred – i.e., if a split can't be used due to environmental or other constraints, it does not forward the goals/objectives of the TDR program.
 13. The Town shall only consider proposed transfers that would protect productive agricultural land.
 14. Landowners proposing limited transfers under this policy shall be required to first obtain a density analysis from the Dane County Department of Planning and Development for both sending and receiving June 6, 1978 farm units.
 15. Approval shall be contingent upon documentation being recorded on all of the affected parcels to track the transfer of density units. Such documentation may include notices indicating the sending and receiving properties involved, or deed restrictions prohibiting further residential development, if appropriate, to ensure compliance with the Town's density limitation. Applicants may be responsible for providing legal descriptions of the parcel(s) to be deed restricted.

LIMITED TRANSFER OF DEVELOPMENT RIGHTS STANDARDS AND CRITERIA

1. The receiving parcel must be less agriculturally productive than the transferring parcel, and suitable for residential development. The proposed building site(s) on the receiving parcel must not be comprised entirely of Class I soils (as defined by the Dane County Soil Survey).
2. The soils of the transferring parcel must be Class I, II or III (as defined by the Dane County Soil Survey), and/or clearly have a history of past farming activity that would be negatively impacted by any proposed development.
3. The receiving parcel must have adequate road access and a suitable building site that would not result in a "flag lot" with a long driveway bisecting agricultural land. The proposed building site must conform to the Town's Development Siting Standards and Criteria within the Agricultural Preservation Area.
4. The proposed transfer must not pose a potential conflict with existing agricultural activities on neighboring properties.

COMMERCIAL DEVELOPMENT WITHIN THE AGRICULTURAL PRESERVATION AREA

DESCRIPTION

The town has adopted the following goals, objectives, and polices regarding commercial development in the Agricultural Preservation Areas of the town. Although the town generally discourages commercial development in mapped agricultural preservation areas, the town acknowledges that limited, small-scale commercial uses may be appropriate in certain instances.

The town also recognizes that there may be requests for land extensive, or agricultural entertainment-related commercial activities in agricultural areas.

These may include golf courses, horse boarding or riding stables, dog kennels, veterinary clinics, wedding “party barns”, and other similar uses. Such proposals will be closely reviewed against the town’s overall goals, objectives, and policies for the Agricultural Preservation Area, as well as those listed in the section, below. All proposals will be carefully weighed against the potential for conflicts with existing, neighboring land uses.



The town does not intend to be urbanized or provide urban services to accommodate commercial uses. Therefore, the policies are designed to limit the size, intensity, and location of the uses. When businesses grow, they are expected to move to appropriately served urban service areas, since the town intends to remain rural.

OBJECTIVES:

1. To consider home-based businesses, as well as limited, small commercial development compatible with rural and residential areas, consistent with the objective of preserving the rural character of the town.
2. To avoid “after-the-fact” commercial rezones out of agricultural or residential zoning districts due to non-compliance with the Dane County Zoning Ordinances and/or non-compliance with the Town Land Use Plan.
3. To not allow any major commercial development in the agricultural preservation area.
4. To protect the agricultural land, environment and roadway capacity in the town.
5. To avoid expenditure of public funds or incurring municipal debt for the provision of municipal services usually associated with commercial and industrial development.
6. To consider commercial rezoning requests only for specific development plans.
7. To consider recreational development that is compatible with rural and agricultural areas and consistent with the objectives of preserving the rural character of the town.
8. To limit certain recreation development (campgrounds and camping resorts) to existing facilities.

POLICIES:

1. The town generally considers the county’s Rural Mixed Use / Transitional and LC-1 (Limited Commercial) zoning districts as the most appropriate to accommodate home-based business and limited commercial uses in the Agricultural Preservation Area.
2. Agribusiness uses will be considered only if:
 - a. A rural location is required to serve farms.
 - b. The proposed agribusiness must be in proximity to a resource.
 - c. No prime agricultural land is used.
 - d. Wastewater can be adequately handled with a soil absorption system.

Comment: There may need to be conditions or restrictions placed on any rezoning to ensure that the objectives are achieved.

3. Requests for recreational development will be required to submit a site plan of their proposal as well as a written request addressing the concerns noted below. Such uses may be allowed if limited to:
 - a. Those areas having less productive farmland.
 - b. Those areas with minimal impact on farming operations.
 - c. Those uses with minimal construction development, thus allowing future re-use as farmland.
 - d. Those uses and locations having a minimal effect on existing nearby uses.
 - e. Locations that have direct access to state or county highways. If town roads are involved, the applicant must demonstrate minimal impact to neighbors.
 - f. A size of area and magnitude of operation which protects the rural atmosphere and scenic beauty of the town.
 - g. Service facilities appropriate to the proposed use and to rural location.
4. Non-agriculture commercial uses will be considered if they are limited to small businesses that do not require use of prime agricultural land.
5. Limited commercial, or home-based family businesses must comply with the following standards and conditions:
 - a. The use must post minimal or no conflict with neighbors.
 - b. Only the minimal land area necessary should be rezoned to accommodate the proposed use.
 - c. Proposals accessing town roads shall be subject to a weight limit of 20 tons per vehicle.
 - d. Loading and outdoor storage areas shall be located out of public view and the view of adjacent properties, and appropriate screening shall be required when needed.
6. Signage for all commercial uses and home-based businesses in the Agricultural Preservation Areas shall be limited and shall be compatible with the rural character of the town. Conditional zoning approval may be used to limit signage.
7. The most appropriate zoning classification for limited commercial development is LC-1 (Limited Commercial). This zoning category accommodates a range of uses that are generally consistent with the rural and agricultural character of the town. Proposals requiring a Conditional Use Permit under the Dane County zoning ordinance shall be reviewed on a case-by-case basis and will generally be limited to home-based family businesses employing no more than 4 full time employees (FTE).
8. The town acknowledges that there are uses that may be consistent with the town's goals and objectives for farmland preservation and commercial and economic development that may not fit under the county's LC-1 zoning district. Such uses may include agricultural support services, small scale retail, or maintenance and repair of motor vehicles or equipment. Proposed uses requiring a more permissive commercial zoning district shall be closely reviewed and conditional zoning shall be utilize to ensure consistency with the town's goals, objectives, and policies for the Agricultural Preservation Areas.
9. Utilize conditional zoning to enforce town standards and criteria for commercial development. Such conditions may include, but are not limited to, restrictions limiting the range of permitted uses, signage, size/intensity of use, prohibit further division of parcels, landscaping/screening requirements, lighting, parking, ingress/egress, outside storage facilities, etc.
10. Avoid "after-the-fact" zoning changes to bring non-conforming commercial uses in an agricultural zoning district into compliance with the zoning ordinance. When reviewing such situations, the town shall determine whether the use is consistent with the goals, objectives, and policies of this plan.
11. Direct more intensive commercial development to mapped commercial or mixed use areas, around the I-39/90 / County Highway N, I-39/90 / County Highway MN, and US 51 and County Highway B intersections.
12. Industrial development shall not be permitted. Industrial development requires the full range of urban services and is not compatible with the town's rural character.

MINERAL EXTRACTION WITHIN THE AGRICULTURAL PRESERVATION AREA

Mineral extraction activities can be a controversial land use issue. The town has developed the following policies to help ensure that any future proposed mineral extraction activity is carefully reviewed and considered in light of the overall goals and objectives for the agricultural preservation areas of the town. The town acknowledges the important role of Dane County, as well as the state and federal government in the review and permitting process for mineral extraction activities. The policies and procedures contained herein are designed to minimize potential land use conflicts by providing decision makers the information necessary to adequately review mineral extraction proposals. The town board may deny mineral extraction proposals that conflict with the goals, objectives, and policies of this plan or cannot meet the standards for approval in the Dane County zoning ordinance. Existing mineral extraction sites are shown on maps attached to this plan.

OBJECTIVES:

1. To require that mineral extraction activities be conducted in a manner that minimizes negative effects on the environment, public infrastructure, and neighboring land uses.
2. Consider adopting a town mineral extraction licensing ordinance designed to protect the public health, safety, and welfare of town residents.

POLICIES:

1. Prior to consideration by the town, landowners and/or their agent(s) seeking to obtain a Conditional Use Permit (CUP) for mineral extraction uses shall be required to provide the town Plan Commission and Board with 13 complete copies of the Dane County mineral extraction CUP application. This requirement shall include, but not be limited to, the operations plan, site plan, reclamation plan, as well as any other information deemed necessary or appropriate by the town at its sole discretion. Any and all costs for providing this information shall be the responsibility of the applicant.
2. As part of its review of the proposed mineral extraction use, the town will consider the same conditional use permit standards enumerated in the Dane County Zoning Ordinance.
3. To ensure these standards are satisfied, the town will consider limitations or conditions on various aspects of the proposed extraction activity. Examples of potential limitations/conditions include restrictions on hours of operation, blasting, improvements necessary for safe ingress/egress, erosion or stormwater control measures, environmental buffers, and/or privacy or security screening, fencing, landscaping, or berming.



AGRICULTURAL TRANSITION AREA

DESCRIPTION

The Agricultural Transition Area encompasses lands in the northwestern and southern portions of the town. This designation applies to land that generally faces higher growth pressure from neighboring municipalities. All Agricultural Preservation Area goals, objectives, and policies shall apply within this area until such time as the town is able to negotiate a boundary agreement or complete a cooperative plan with the city of Stoughton.

GOAL:

Preserve farmland, open space, and rural character while exploring opportunities for well planned, responsible growth that promotes community separation and identity.



OBJECTIVES:

1. Investigate and consider adopting land use measures like Purchase of Development Rights that could be used to maintain community separation with neighboring municipalities.
2. Protect the rural character of the town by preserving farmland and open space and discouraging extensive development in the Agricultural Transition Area.
3. Work with the city of Stoughton to identify mutually agreeable development scenarios for both the town and city in the area north of County Highway B.
4. Encourage orderly, compact, and efficient development patterns.
5. Communicate the town's goals and objectives for this area to neighboring municipalities.

POLICIES:

The town will apply the same policies as Agricultural Preservation Area until such time as the town establishes a boundary agreement, cooperative plan, or other agreement with the city of Stoughton. Prior to any development, a detailed neighborhood plan shall be created and adopted for the area.

DEVELOPMENT SITING STANDARDS AND CRITERIA

The town will apply the same development siting standards and criteria as Agricultural Preservation Area until such time as more intensive development may be proposed. Standards for any significant development proposal shall be addressed in a detailed neighborhood plan for the area.

LAKE KEGONSA & LOWER YAHARA RIVER RESIDENTIAL AREA

DESCRIPTION

The Lake Kegonsa & Lower Yahara River Residential planning area covers much of the area in the vicinity of Lake Kegonsa and is served by sanitary sewer service from the Pleasant Springs Sanitary District (PSSD). The district was established in 1989 with the objective of protecting the water quality of Lake Kegonsa and the lower Yahara River watershed. The district provides sanitary sewer collection and conveyance service to 516 residential and business customers located near Lake Kegonsa and the Yahara River within the Town of Pleasant Springs. The District owns and maintains approximately 33 miles of sewer lines, 9 lift stations and 55 grinder stations. Collected effluent is directed into the sewer system maintained by the Kegonsa Sanitary District #2 and is then ultimately transported to the Madison Metropolitan Sewerage District for treatment.

There are 25 undeveloped lots within the sanitary district that may be potentially suitable for new residential or neighborhood serving commercial development. According to PSSD officials, the district currently has sufficient capacity to serve a significant amount of additional development.

While it is recognized that having public sewer available makes a mixture of medium density housing development possible, only existing and infill development is anticipated at this time. There are no plans currently to expand the service area to accommodate additional development, though the town is considering a possible future expansion of the area as part of broader effort to accomplish farmland preservation goals while accommodating a modest amount of well planned growth.

GOAL:

The primary goals for the Pleasant Springs Sanitary District are to protect water quality and promote the efficient use of public infrastructure.

OBJECTIVES:

1. Future development must be kept in perspective with existing areas and avoid any excessive burden to the sanitary district. This will require the close coordination between the Plan Commission, Town Board, and Sanitary District commissioners to review such proposals with fairness and completeness.
2. To provide a public sewer system to serve existing development within the sewer service areas of Pleasant Springs.
3. To cooperate with Pleasant Springs Sanitary District, Kegonsa Limited Service Area, WDNR, Dane County Division of Community Analysis and Planning (or successor agency), and the Madison Metropolitan Sewerage District in the provision of sewer service to the sewer service areas.
4. To generally discourage extensive urban growth around the lake and river to avoid the deteriorating effect of urban runoff on water quality and the need to provide additional public services.
5. To plan only for the provision of sewer service in these areas and not a full range of urban services, since the primary purpose is to provide sewer service for health and water quality needs.
6. To require that replacement development is limited to a similar character and density to the existing development.
7. Work with the Capital Area Regional Planning Commission to explore expansion of the Service Area and Sanitary District so that sanitary sewer service is made available to existing residences west of the Yahara River in the vicinity of Williams Drive, including all of the lots in Rolling Meadows subdivision.
8. Coordinate with the Capital Area Regional Planning Commission and City of Stoughton regarding the provision of sanitary sewer service to ensure the most efficient and cost effective delivery of services is achieved.



POLICIES:

1. Avoid any substantial expenditure of public funds for urban services other than sewer.
2. Limit additional development to a scale and density that will not lead to deterioration of lake and river water quality, and that is consistent with the character of the adjoining neighborhood.
3. Any proposed new development shall be subject to the town's land use review procedures, and shall include opportunities for public and neighborhood input. Proposals for new development may require creation and submittal of detailed conceptual design, site, engineering, and/or neighborhood plans to ensure that the development will not result in negative impacts to adjoining properties or undue burdens on public infrastructure. The town, at its sole discretion, may determine that an amendment to this comprehensive plan is necessary prior to considering or taking any action on a development proposal.
4. Limit any new commercial or business use to those that would serve nearby residents. The following criteria shall be applied:
 - a. Consideration of the impact, consistent with other objectives and policies for this area.
 - b. Consideration of lake- and river-related impacts of any proposed commercial use.
 - c. Conditional rezoning will be required to specify the limits of use and the agreed- upon site and operations plans.
5. Industrial uses within the service areas shall be prohibited. Industrial uses are incompatible with lake- and river-related residential areas.
6. All new development within the service areas is required to be connected to the public sewer.
7. Sewer service area expansions (aka "Service Area" expansions) are reviewed for water quality planning purposes as required by federal law. The town of Pleasant Springs must officially sponsor a service area extension request. If and when the service area is expanded, the town shall review any proposed development on a case-by-case basis against all applicable goals, objectives, and policies of this plan. Costs of a proposed expansion associated with a new development proposal shall be borne by the developer.
8. Limit expansion of the sewer service areas to locations of existing development where there is a demonstrated need for public sewer. It is recognized that the installation of public sewer makes some areas more developable; however, in keeping with the overall objectives for this plan district, any future additions should be very carefully scrutinized to ensure that all plan objectives and policies are observed.
9. There is no explicit density limitation or policy for the Lake Kegonsa & Lower Yahara River Residential planning area. All new or infill development shall be reviewed on a case-by-case basis to determine if the proposal is appropriate in light of the goals, objectives, and policies for the area, consistent with the character of the neighborhood, and compatible with existing neighboring uses.
10. Sewered lots shall be a minimum of 15,000 sq. ft. as permitted by the R-1 Residential Zoning District of the Dane County Zoning Ordinance (SFR-08 District as proposed in the county zoning code rewrite). It is the town's intent to use these Districts for any proposed residential development within sewered areas.
11. To minimize population density within the limited service area and protect the natural and recreational resources of the lake and river, residential development will be limited to single-family development. Duplex/two-family zoning will be considered for the conversion of existing large houses if the following criteria are met:
 - a. Existing as of adoption of the Land Use Plan in 1978, with minimum size of 1800 square feet.
 - b. No additions to the building size.
 - c. Minimal land area is provided for duplex use.
 - d. Agricultural density policies apply and the conversion will count for two housing units.

DEVELOPMENT SITING STANDARDS & CRITERIA

Development within the Lake Kegonsa & Lower Yahara River Residential Area shall comply with the following siting and design standards and criteria. The town may require a detailed site plan be submitted for proposed development.

Any proposed development shall:

1. Fit with character of existing neighborhood development (i.e., scale/density/design).
2. Provide adequate park/open space, where appropriate.
3. Meet or exceed county erosion control, shoreland zoning, and stormwater management standards.
4. Incorporate landscaping design that buffers incompatible uses.
5. Provide signage compatible with neighborhood/rural character, as appropriate.
6. Be designed to minimize negative environmental impacts. No development shall be permitted within the 100 year flood plain.



INTERSTATE INTERCHANGE AREA

DESCRIPTION

This planning area is located in the vicinity of the Interstate 39/90 and County Highway N interchange. The area is designated to provide opportunities for limited retail and highway-related commercial development that provide goods or services to town residents and motorists, or for uses that require a rural location with access to the county highway network and interstate. This planning area is not intended to accommodate any major commercial development requiring the full range of urban services (sewer, water, fire, police).

A major redesign of the interchange was taking place while this plan update was being developed. The state department of transportation project will result in numerous changes, including installation of a diamond interchange featuring three roundabouts designed to improve traffic flow and limit the number of access points onto County Highway N both north and south of the interchange. The project will present both challenges and opportunities for redevelopment of properties in close proximity to the interchange. Because the area is one of the main entryways into the town, proposed new development should be well designed and limited to a scale compatible with the town's rural character.



GOAL:

The primary goal for this planning area is to accommodate limited highway-related and other commercial development of a nature and scale compatible with the rural character of the town.

OBJECTIVES:

1. To avoid expenditure of public funds or incurring municipal debt for the provision of municipal services usually associated with commercial and industrial development.
2. Promote commercial uses that are an asset to the town and provide services needed by town residents.
3. To consider commercial rezoning requests only for specific development plans. Proposals that are speculative in nature shall be discouraged.
4. Any proposed development should be compatible with existing, neighboring uses.

POLICIES:

While acknowledging some legitimate places for small businesses in rural areas, the town does not intend to be urbanized or provide urban services. Therefore, the policies are designed to limit the size, intensity, and location of commercial uses. Conditional zoning will be used to set specific limits on the use. When businesses grow, they are expected to move to appropriately served urban service areas, since the town intends to remain rural.

1. Retail and highway services will only be considered at the I-90/CTH N interchange where compact, convenient, and highway-oriented businesses may be allowed. Due to existing development and access controls, any additional development may be required to make joint use of access points, and/or make improvements to existing access points. The town will not expend public funds for construction of frontage roads or other public services.
2. Proposed commercial rezonings shall be for specific uses. Conditional zoning will be used to ensure the use is well designed and compatible with both the rural character of the town and neighboring uses.
3. Residential development within the Interstate Interchange Area is generally discouraged, unless the residential use is for a watchman or caretaker of a business, or the commercial use is home-based.
4. Industrial development shall not be permitted. Industrial development requires the full range of urban services and is not compatible with the town's rural character.

TOWN OF PLEASANT SPRINGS COMPREHENSIVE PLAN

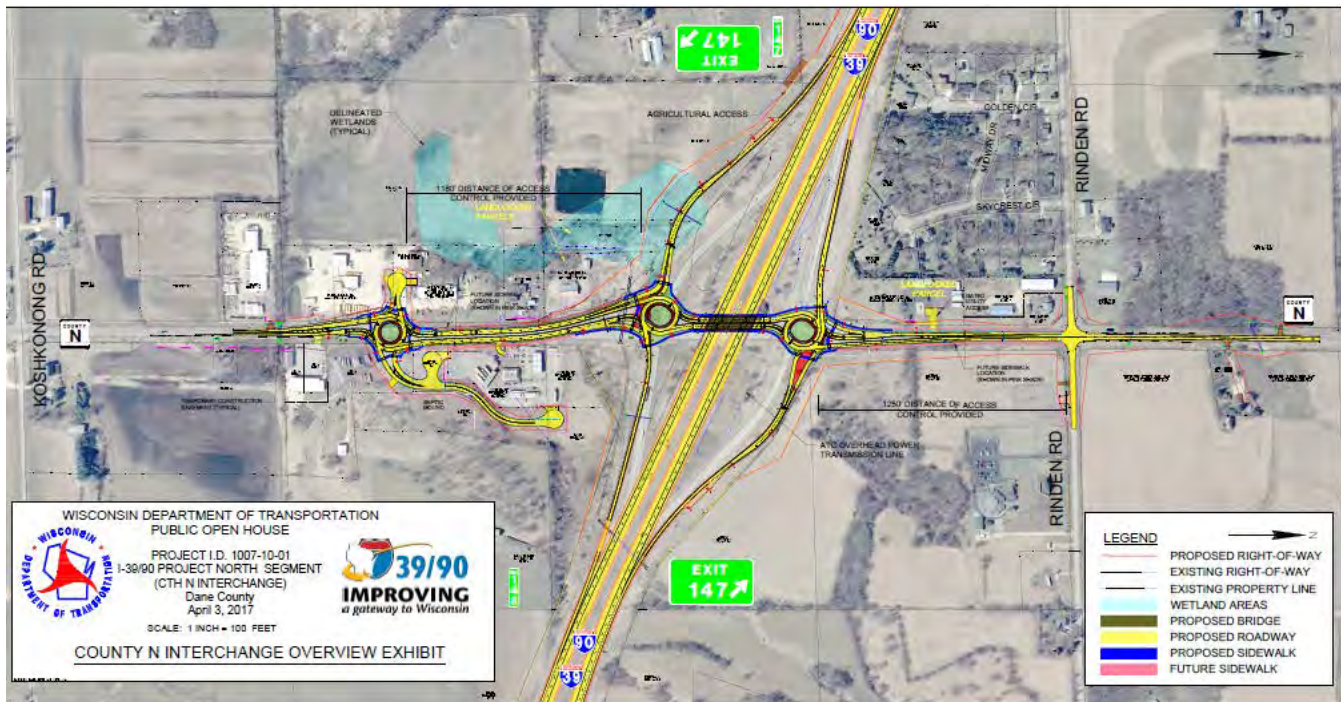
DEVELOPMENT SITING STANDARDS & CRITERIA WITHIN THE INTERSTATE INTERCHANGE AREA

The Town shall apply the following standards and criteria for development within the Interstate Interchange Area. These provisions are intended to ensure that proposed development does not negatively affect the general health, safety, and welfare of the town's residents and natural resources.

Any proposed development within the Interstate Interchange Area shall:

1. Fit with character of existing commercial development (i.e., scale/density/design).
2. Provide adequate and safe ingress/egress.
3. Provide signage generally compatible with the rural character of the town.
4. Meet or exceed county erosion control and stormwater management standards.
5. Meet county zoning ordinance parking standards.
6. Meet county highways standards for vision corner, site distances, emergency vehicle access, acceleration/deceleration, signage, etc.
7. Industrial development shall not be permitted. Industrial development requires the full range of urban services and is not compatible with the town's rural character.
8. The following additional considerations and standards may apply to proposed development.
 - a. Light pollution control (e.g., shrouded lighting)
 - b. Noise abatement measures
 - c. Site design and location (e.g., building envelope)
 - d. Landscaping or screening (e.g., natural or man-made buffers between incompatible uses)
 - e. Driveway design, distance, and location

I-39/90 County Highway N Interchange Project Overview



RURAL MIXED USE AREA

DESCRIPTION

The Rural Mixed Use planning area is designed to accommodate a mix of agricultural uses, rural residential uses, and limited family-run rural business uses requiring a rural location and access to the County Trunk Highway network. Establishment and operation of rural businesses in this area should be compatible with the rural character of the town and existing, neighboring land uses.



GOAL:

The primary goal for this planning area is to accommodate a mix of rural residential, and small agricultural uses, or family businesses.

OBJECTIVES:

1. Provide opportunities for the establishment and operation of family run and home-based businesses in existing rural residential and agricultural areas of the town.
2. Ensure that proposed uses are compatible with a rural setting and adjoining land uses.
3. Small family and home-based rural commercial uses may be allowed if consistent with the policies listed below.

POLICIES:

1. Maintenance of the rural character objective will be an important consideration when considering any type of development or expansion. Continue to apply the town 1 per 35 density standard to new residential development.
2. Commercial properties will be regulated with conditional zoning, in order to limit the range and scale of uses, promote the health, safety, and welfare, and to enable the town to review successive uses. Such limitations may include, but are not limited to: restrictions limiting permitted uses or further division of parcels, site design requirements, hours of operation, signage, screening/landscaping, lighting, noise abatement, erosion/stormwater control measures, access, parking, and outside storage facilities.
3. The use will be limited to one requiring a septic system no larger than one required for a single-family home.
4. Access will not adversely affect traffic capacity. The town may request that the Dane County Highway and Transportation Department review a proposal and make recommendations, including any necessary improvements prior to taking action on the proposal.
5. Truck and equipment will be limited to twelve pieces of equipment total. For example, a semi-tractor and trailer are considered separate pieces of equipment.

RESOURCE PROTECTION OVERLAY AREA

DESCRIPTION

The Resource Protection Area is an overlay planning designation that corresponds to sensitive environmental features, including lakes, rivers, perennial and intermittent streams and drainageways and their associated floodplains, wetlands, significant woodlands, and areas of steep slope topography over 12% grade.

GOAL:

Preserve and enhance the unique and sensitive natural resources within the town.



OBJECTIVES:

1. Generally discourage non-farm development within the Resource Protection Area.
2. Any proposed development in this district shall comply with the policies listed below, and with the siting standards and criteria detailed throughout this plan.

POLICIES:

1. Guide the location and design of development in a manner that will minimize any adverse impact on the quality of surface waters, aquifers, wetlands, woodlands, and agriculture.
2. Encourage land use patterns and practices that will preserve the integrity of the hydrologic system and ecosystem.
3. Utilize natural drainage patterns and measures that minimize pollution of the hydrologic system and ecosystem.
4. Preserve wetlands and woodlands as essential components of the hydrologic system and as valuable wildlife habitat, and to restore degraded resources where possible.
5. Protect floodplain areas and emphasize their value to the community as potential focal points of natural beauty and recreation.
6. Locate development in areas where soil characteristics are compatible with the proposed development.
7. Establish procedures with public agencies seeking to acquire land within the Town that assure input from Town officials and citizens.
8. Discourage and, where possible, prevent the filling or developing of wetlands and floodplains.
9. Encourage the management of woodlands in an effort to promote further value for timber and wildlife.
10. Identify sites or geographic features of historic or scenic value and encourage their preservation.