

COMMERCIAL DEVELOPMENT WITHIN THE AGRICULTURAL PRESERVATION AREA

DESCRIPTION

The town has adopted the following goals, objectives, and policies 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 utilized 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.



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.