**Chapter 8 of the Town of Sun Prairie Comprehensive Plan is amended to read as follows with deletions shown by strikethroughs and new language shown by underlining:**

**CHAPTER 8: LAND USE ELEMENT**

|  |
| --- |
| **s. 66.1001(2)(h) Wis. Stats.:**  The Land Use Element is a compilation of objectives, policies, goals, maps and programs to guide the future development and redevelopment of public and private property. The Element shall contain a listing of the amount, type, intensity and net density of existing uses of land in the local governmental unit, such as agricultural, residential, commercial, and industrial and other public and private uses. The Element shall analyze trends in the supply, demand, and price of land, opportunities for redevelopment and existing and potential land use conflicts. The Element shall contain projections, based on the background information specified in par.(a), for 20 years in 5- year increments, of future residential, agricultural, commercial and industrial land uses including the assumptions of net densities or other spatial assumptions upon which the projections are based. The Element shall also include a series of maps that shows current land uses and future land uses that indicate productive agricultural soils, natural limitations for building site development, floodplains, wetlands and other environmentally sensitive lands, the boundaries of areas to which services of public utilities and community facilities, as those terms are used in par. (d), will be provided in the future consistent with the timetable describe in par. (d), and the general location of future land uses by net density or other classifications. |

1. **Introduction**

The Town of Sun Prairie consists of abundant farmland, gentle prairies, wide-open vistas and rural housing. While change is inevitable, residents want to position the Town to shape and direct this change. Despite heavy development pressure, citizens have expressed a strong desire to retain open space and preserve the Town’s agricultural heritage and rural environment. Of primary concern is the loss of productive farmland.

Among the most effective tools a community possesses to influence its future environment and quality of life is the ability to direct future growth through zoning, land use policies and regulations. The Land Use Element is intended to guide future growth and development over the next 20 years. It will provide direction for private property owners and potential developers when making land use decisions. In addition, the land use Element communicates the Town’s vision to neighboring communities and will help guide discussion about land areas of mutual interest. Finally, this *Plan* Element serves to update and replace the Town of Sun Prairie Land Use Plan dated 1982. Upon final adoption of the *Plan*, the Land Use Element will become part of the ~~Dane County~~ Farmland Preservation Plan.

Under the Wisconsin Farmland Preservation Program, the law allows income tax credits on land zoned exclusive agriculture for landowners in counties with Farmland Preservation Plans. The Town of Sun Prairie adopted exclusive agricultural zoning on September 11, 1982. A non-agricultural land use proposal is reviewed as a rezone request by the Town ~~and Dane County~~ for consistency with the Town’s *Plan*. Under exclusive agricultural zoning, land use is generally limited to agricultural production and residential dwellings for farm owners and employees.

Pursuant to the authority under 2015 Wisconsin Act 178, On \_\_\_\_\_\_\_\_\_\_, 2017 the Town of Sun Prairie elected to withdraw from Dane County zoning; requiring the Town to enact a zoning ordinance and update the Town’s Comprehensive Plan; and remove plat and certified survey map authority from Dane County zoning. All zoning subject to Chapter 10 of the Dane County Code of Ordinances prior to the adoption of the Town of Sun Prairie Zoning Ordinance will remain in effect until subsequent modification or deletion by Town action. Chapter 10, DCCO will be incorporated in the form it existed as of the effected of the Town’s zoning ordinance and will be attached as an appendix and referred to as “Legacy Zoning.”

1. **Goals and Objectives**
2. Goal: Preserve and Protect Farmland for Present and Future Generations

Objectives:

1. Minimize Exclusive Agriculture Zoning District ~~(A-1 Ex)~~ (EA) re-zones.
2. Reference USDA soil classification data as proposals are reviewed and restrict development on lands best suited for agricultural production.
3. Encourage government policies and programs that protect and promote the economic viability of agriculture.
4. Encourage cooperation with neighboring municipalities to preserve farmland.
5. Strengthen the Town Land Division Ordinance in order to protect farm operations.
6. Consider initiatives such as acquiring conservation easements in appropriate areas.
7. Goal: Preserve and Protect Natural Resources and the Environment

Objectives:

1. Encourage the efficient management and preservation of the Town’s natural resources, such as sensitive natural areas, old growth oak savannas, and native prairies.
2. Provide learning opportunities through workshops and newsletter articles about the flora and fauna native to the Town.
3. Recognize the economic value of mineral extraction to the community by allowing utilization of those resources and enforcing reclamation.
4. Goal: Limit Growth within the Town

Objectives:

1. Consider limited agribusiness and commercial development along the rail corridor.
2. Consider commercial development at the intersection of I-94, county highways TT and N, and the highway TT corridor west of highway N.
3. Encourage use of existing vacant residential lots.
4. Encourage residential development on single family lots.
5. Limit growth of rezoning of residential parcels to a maximum of 1.2 percent annually, as of January 1 of each year, ignoring any loss of parcels to annexation.
6. Consider modifying lot size in a development to meet desirable environmental goals and objectives.
7. Goal: Maintain and Protect the Town’s Rural Character

Objectives:

1. Encourage the use of conservation design concepts as new development occurs.
2. The Town may consider using conservation easements in appropriate areas.
3. Encourage use of the Town Hall for community and neighborhood events.
4. Establish architectural and environmental design criteria for commercial development.
5. Require developers to provide natural screening or buffers around residential areas to avoid conflict with farms, mineral extraction, and sensitive natural areas.
6. Goal: Maintain a balance between the best interest of the community and the property rights of the individual

Objective:

1. Communicate and inform the public through periodic newsletters and the Town website.
2. This *Plan* attempts to address the balance between individual property rights and the health, safety, and general welfare of the community.
3. Encourage public participation in Town government and the comprehensive planning process.

**C. Land Use Policies**

**1. General**

The following general policies shall apply to all land use zoning districts in the Town of Sun Prairie:

a. Right to Farm: Residents of the Town of Sun Prairie should be aware that they may be subject to inconveniences or discomforts associated with farm operations and agricultural uses of land in the Town, including but not limited to noise, odors, insects, fumes, dust, smoke, the operation of machinery of any kind (including aerial cropdusters) during day or night, the storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides, and pesticides. The use of real property for farm operations and agricultural uses is of primary importance to the Town. Those inconveniences or discomforts arising from farm operations and agricultural practices for the region, that do not present a substantial threat to public health or safety, and comply with local, state and federal laws, shall not be considered a nuisance.

1. Large contiguous areas of agricultural lands shall be protected from non-farm development.
2. Town ordinances that could inhibit normal farm operations should not apply in agricultural districts.
3. The Town will actively oppose the expansion of urban service areas (USA) into the Town of Sun Prairie by neighboring municipalities if the purpose is to accommodate annexation of Town lands.

e. Limit Town Board approval of new residential dwelling unit parcels created by rezoning or CSM to a maximum of 1.2 percent annually, as of January 1 of each year as indicated on the following table. The initial calculation for January 1, 2003, will be based on 837 housing units. Any unallocated parcels remaining at the end of a calendar year will be carried over to the following year. ~~A duplex will be considered 2 residential dwelling unit parcels.~~~~A 2-flat duplex created from an existing residential parcel will be counted as 1 residential parcel~~. Each unit of a multi-family residence will be considered a separate dwelling unit.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Year** | **Additional Dwelling Units** |  | **Year** | **Additional Dwelling Units** |  | **Year** | **Additional Dwelling Units** |
| 2003 | 10 |  | 2010 | 11 |  | 2017 | 12 |
| 2004 | 10 |  | 2011 | 11 |  | 2018 | 12 |
| 2005 | 10 |  | 2012 | 11 |  | 2019 | 12 |
| 2006 | 10 |  | 2013 | 11 |  | 2020 | 12 |
| 2007 | 10 |  | 2014 | 11 |  | 2021 | 12 |
| 2008 | 11 |  | 2015 | 11 |  | 2022 | 12 |
| 2009 | 11 |  | 2016 | 12 |  | 2023 | 13 |

1. Development sites must front on or abut a public road.
2. All developments shall follow the natural contour of the land or be related to the natural contour of the land. Changes to the elevation of a development site are subject to the approval of the Plan Commission and the Town Board.
3. Advocate strongly for agricultural management practices and/or construction projects (such as waterways, contour strips, and grass filter strips) on environmentally sensitive areas involving steep slopes, erodable slopes, water, and wetlands.
4. The developer shall be required to implement permanent erosion control measures. Runoff controls will be required when there is a potential impact on adjacent landowners.
5. The Town shall encourage a developer to create open space and environmental corridors as part of a development proposal.
6. Conservancy Areas: The Town recognizes the natural environment as an irreplaceable resource and desires to proceed as follows:
7. Identify and protect the unique natural resources, including but not limited to wetlands, woodlands, groundwater, old growth oak savannas, and native prairies.
8. Ensure that floodplain areas are protected from development or filling in order to maintain their natural flood control function (See Floodplain Map 13)

L. A site plan and/or developers agreement may be required for any land use change submitted to the Plan Commission. The site plan and/or developers agreement must address the following criteria and concerns:

1. All existing property boundaries, lot lines, and easements must be shown.
2. All existing uses, structures, roads, and driveways must be shown.
3. Areas of differing soil productivity shall be delineated.
4. All natural features such as wetlands, floodplains, woodlands, native grasslands, and steep slopes shall be delineated.
5. The minimum level of tree clearing necessary for building on the site shall be indicated.
6. Contour elevations shall be delineated every 4 feet on the site plan and the development effects on views and vistas shall be identified.
7. Cross-sectional views of any proposed development may be required.
8. Any erosion control measures required to control runoff and all cuts and fills may be requested.
9. Location and elevation of structure, driveways, parking facilities, and emergency services access.

m. The Plan Commission’s site plan review of any proposed development will be guided by the following principles and standards:

1. Where practicable, locate development on non-prime soils in the agricultural districts. Soil productivity will be defined by a LESA score using the LESA-based model of the Dane County Land Conservation Department.
2. Locate and construct new roads or utility transmission lines in a manner that minimizes impact on productive farmland and other natural resources.
3. Prohibit driveways that cross productive agricultural land or disrupt the agricultural use of the property. All driveways must conform to the Town’s Driveway Ordinance.
4. Site and landscape development such that it blends with the surrounding area. Whenever possible, the site plan should preserve the natural view, and preserve and protect natural resources.

n. Any land annexation being proposed by a developer shall be submitted for review and action by the Plan Commission and the Town Board.

1. Conservation Easements and Land Preservation: The Town Board is authorized to acquire conservation interests in real property for the purpose of open space and rural preservation as follows:
   1. Applications for rezoning or changes to land use will require the identification and designation of an area for a conservation easement at a ratio of a minimum of 2 acres of conservation easement for each acre proposed for land use change or rezoning. In lieu of designating a conservation easement, and subject to Town Board approval, an applicant:

(a) may dedicate an acre of land for each acre rezoned to the Town ~~or Dane County~~ for parks, open space, recreation, bike paths, natural resource preservation or other purposes.

(b) may dedicate an acre of land for each acre developed for historic or cultural preservation purposes.

(c) may contribute a Park Fee in an amount equivalent to the value of the conservation easement. These fees shall be deposited to the open space account of the Park Fund. The Town may use the balance of the open space account to purchase conservation easements.

* 1. In addition to conservation easements acquired under subsection (1), the Board:
     1. may acquire by purchase or donation conservation interests from willing owners and may not exercise its power of eminent domain to acquire such interests.
     2. may appropriate and expend funds for the purchase of land or development rights for conservation easements. The Board may attach such conditions and restrictions to the land as necessary and appropriate to protect the Town’s interests in rural preservation.
  2. The terms of a conservation easement obtained under this section shall provide that the easement is not an asset of the Town of Sun Prairie and is not subject to adjustment under sec. 66.0235, Wis. Stats., in the event the land subject to the easement is annexed by a city or village.

1. The Plan Commission shall propose an amendment to the Town’s building code to create a design and architectural review ordinance to be applied to all commercial and industrial development and any residential development consisting of three or more dwelling units on a single lot.

**2. ~~Agricultural Preservation District (A-1 (Exclusive) Agricultural)~~ Exclusive Agriculture District (EA)**

The following policies will apply to rezoning in the ~~Agricultural Preservation~~ Exclusive Agriculture District (EA): (See Future Land Use Map 2)

1. The Town will comply with the provisions of the Farmland Preservation Law to permit eligible landowners to receive tax credits under Chapter 91 of the Wisconsin Statutes.
2. The land uses permitted in the ~~agricultural preservation~~  Exclusive Agriculture District (EA) will be primarily limited to agricultural production and dwelling units that serve as the residences for owners and employees of the farm.
3. In addition to meeting the Town’s policy on growth in residential dwelling units, the Land Evaluation and Site Assessment (LESA) process shall be used to evaluate land use proposals. The Plan Commission will prepare the LESA analysis.
4. Town ordinances that could inhibit normal farm operations should not apply in exclusive agricultural districts.
5. As a result of farm consolidation or sale, allow the separation of farm dwellings and related structures from the remainder of a farm that existed prior to September 11, 1982. The non-farm residential policy criteria will be applied in reviewing such proposals. This lot will not count against the 1.2 percent limit on growth in residential dwelling units.
6. When a farmer sells a farm that was owned by the farmer prior to September 11, 1982, and the provisions of paragraph “e” above are not exercised, one lot will be allowed for retention and construction of a new home by the seller. The non-farm residential policy criteria will be applied in reviewing such proposals. Such a lot will not count against the 1.2 percent limit on growth in residential dwelling units. No more than one lot will be created under this policy and only for a single family residence. The farmer will be required to submit evidence of a pending sale prior to approval of the additional lot.
7. To preserve agricultural lands the Town will not allow placement of a residence in the middle of a productive agricultural field to minimize the impact on adjourning agricultural lands.
8. Prevent creation of extra residential sites on remnant parcels. Occasionally, remnant parcels are created after an authorized land division. The ~~A-1 (Exclusive)~~ Exclusive Agriculture Zoning District has a minimum parcel size of 35 acres. Accordingly, remnant parcels would need to be rezoned to another district. The most appropriate rezone would be ~~A-4 Small Lot Agricultural District~~ Agriculture Zoning District (AG) which applies to areas where non-agricultural development would be incompatible with agricultural uses.
9. Subdivision developments (5 or more lots) will be discouraged in ~~the Agricultural Preservation District.~~ all agriculture zoning districts.
10. Only commercial uses clearly related to or compatible with agricultural production will be permitted to rezone in ~~the Agricultural Preservation~~ agricultural districts. Small family owned and operated businesses that provide a community service and do not change the character, or use of the property which meets the following criteria may be permitted:
11. A rural location is required to serve farmers.
12. It must be in close proximity to a rural resource.

**3. ~~Agricultural Districts (A-B, A-2, A-3, A-4)~~  Other Agricultural & Preservation Districts (AE, AG, AC, RC, NBR and PRD)**

All of the policies that apply to zoning in the ~~Agricultural Preservation~~ Exclusive Agriculture Zoning District will apply to the other agricultural and preservation districts as of September 11, 1982, except paragraph “a” under the ~~Agricultural Preservation~~ Exclusive Agriculture Zoning District Section. (See Future Land Use Map 2)

1. **~~Residence and Rural Home Districts (R-1, R-1A, R-2, R-3, R-3A, R-4, RH-1 thru RH-4)~~ Single Family Residential Zoning District (SFR) and Multiple family Residential Zoning Districts (MFR)**

The following policies will apply to development in the ~~Residence and Rural Home Districts:~~ Single Family and Multiple Family residential districts: (See Future Land Use Map 2).

1. Lot size must be a minimum of 40,000 sq. ft. (Approximately 1 acre) exclusive of right- of-way. A variance may only be granted in the case of a legal hardship due to special conditions unique to the property, and when the purpose of an applicable ordinance is not violated.
2. Give favorable consideration to proposed development in those areas not containing productive soils.
3. Residential development shall be planned to avoid potential conflicts with neighboring farm operations.
4. Lots must front on or abut a public road.
5. Generally “flag lots” or layouts requiring long access roads are discouraged. However, where land best suited for a homesite is not adjacent to a public road, a flag lot may be considered at the discretion of the Plan Commission and the Town Board if the impact on agricultural land is minimized.
6. Town Road Ordinances shall govern construction or reconstruction of roads as a part of development.
7. Cul-de-sacs are strongly discouraged in residential developments.
8. Prohibit strip forms of residential development along public roads.
9. Lots having proposed driveways with less than 600 feet between access points along roads, except in subdivisions, may be required to share driveways.
10. The developer shall pay a park fee to the Town for each new residential parcel. The intent is that these fees will be used to develop a single town park.
11. Off-street parking for parcels rezoned to the ~~R-4~~ MFR Residential District shall require 1 parking space per bedroom in each multifamily ~~or duplex~~ unit.

**5. ~~Local Business, Commercial and Industrial Districts (B-1, C-1, C-2, LC-1 and M-1)~~ Commercial Districts. (COM, IND, NR, RCOM, RBB, and RUC)**

a. Local Business, Commercial and Industrial development must meet the following criteria prior to zoning approval:

1. The site must not conflict with agricultural policies for farmland preservation.
2. The site must have access to a state or county highway or a Town road approved for such use.
3. The site shall not adversely affect the traffic capacity and safety of the highway.
4. The site shall not endanger the environment and the health, safety, or general welfare of the Town residents.
5. Recognizing the variety of uses permitted in these zoning districts and the Town’s desire to limit the type of such operations, each rezoning request will only be approved with specific restrictions on uses. This allows the Town an opportunity to review any new or successive uses.

b. The Town will evaluate development in terms of short and long term environmental impacts and compatibility with adjacent land uses.

c. The Town will require site-specific planning for all proposed development, including but not limited to the following:

1. Location and elevation of structures, driveways, parking facilities and emergency services access
2. Public roads
3. Location of wells, septic systems and/or other utilities
4. Storm water drainage

d. The Town will prevent isolated development that may result in environmental degradation or may conflict with farming operations or other existing land uses.

e. With the goal of preserving tax base, the Town may collaborate with adjoining municipalities to identify areas for business, commercial and industrial development that will have urban services provided by the municipality.

**6. Recreational ~~District~~ Areas**

* 1. Recreational developments must meet the following criteria prior to zoning approval:

1. The site must not conflict with agricultural policies for farmland preservation.
2. The site must have access to a state or county highway or a Town road approved for such use.
3. The site shall not adversely affect the traffic capacity and safety of the highway.
4. The site shall not endanger the environment and the health, safety, comfort, or general welfare of the Town residents.
   1. The Town shall also:
5. Collaborate with Dane County in future planning and development of county parks.
6. Encourage the use of the Town’s Nature Park on Twin Lane Road as an outdoor laboratory for environmental education and development of natural resource stewardship.
7. Collaborate with other governmental agencies, including the Dane County Highway Department, and local governmental units in the development of projects such as maintenance of safe, designated bike trails.
8. Work with Dane County, other units of government, and private entities to prioritize and encourage the acquisition of parcels identified in the County’s Parks and Open Space Plan.
9. Encourage the use of and apply for grant monies, such as the Dane County Conservation Fund (DCCF) and State and Federal grants, where these additional funds will assist the Town in addressing its land use objectives.
10. Locate a site and develop a Town park

**7. Mineral Protection/Extraction Areas (As shown on Future Land Use Map 2)**

a. The following policies will apply in Mineral Protection/Extraction Areas:

1. Recognition that mineral extraction is a necessary and economical use of lands to provide material used by the community, both for public and private purposes.
2. All proposals for a mineral extraction operation will require Conditional Use Permits (CUP).
3. Limit development in and around mineral protection/extract areas to insure access for future use as follows:
4. Residential uses will be limited to any existing lots; any new dwelling unit must be primarily for the owner.
5. If new residential parcels are approved by rezoning or Certified Survey Map (CSM) a notice or restriction will be placed on the deed noting the possibility of future mineral extraction activity.
6. The only commercial or industrial uses allowed will be those directly related to the mineral resource use.
7. The establishment, maintenance, or operation of the site shall:
8. Not conflict with adjacent approved uses, subject to appropriate discussion and review.
9. Not be detrimental to or endanger the public health, safety, or general welfare of the community.
10. Balance the risk with the positive business employment, tax revenue, and need of natural resources for all citizens.
11. Not impede the planned and orderly development of the surrounding properties for uses permitted in the area.
12. Meet and satisfy all State and County criteria regarding wetlands and water quality impacts of the proposed extraction operation.
13. Meet all applicable State and Federal air quality standards.
14. Require that adequate access roads, drainage, noise and dust control, visual barriers and other site improvements be provided by the landowner, renter or lessee.
15. Use of a public road shall not threaten public safety or cause congestion on such roads. Operators will be responsible for damage and upkeep required as a result of extraction operations.
16. Require that operation plans be specific and detailed reclamation plans be provided by the landowner, renter, or lessee.
17. Require that the applicant for any opening or expansion of a mineral extraction site shall provide a detailed mineral extraction plan, which will include the following:
18. A site map showing the areas to be mined, plus all public and private access roads, all rights-of-way, all structures, any surface drainage features, and all utilities within 1/4 mile of the property line of the site.
19. Information about the site, including the zoning district of the site and all adjoining and adjacent parcels.
20. A description of the mineral extraction activities, including but not limited to methods and procedures used.
21. The hours of operation, and whether or not blasting will be conducted on site.
22. How the operator intends to limit the noise and dust exposure to properties within 1/4 mile.
23. A timetable for completion of various stages of the mining operation, including a date when the extraction operation and reclamation will be completed and the CUP terminated.
24. A site reclamation plan, which will be implemented upon completion of extraction activities.
25. The following conditions shall be met in the operation and closure of a mineral extraction site:
26. A fence may be required to surround all mineral extraction areas and be posted with “Warning” signs. A gate may be required to be erected across all access roads, which shall be kept closed and locked whenever there is no authorized activity being conducted on the site.
27. 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 including wells and ways to compensate landowners for any damages. The Town must approve the process.
28. The applicant must submit evidence that all applicable regulations of Dane County, the Wisconsin Department of Commerce, the Wisconsin Department of Natural Resources, The Wisconsin Department of Transportation, the U.S. Department of Labor’s Mine Safety and Health Administration, and the Occupational Safety and Health Administration (OSHA) have been met.
29. 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 and repair sales.
30. All mineral extraction sites shall be reclaimed so that all approved final slopes shall have the topsoil, that was removed or disturbed, replaced with soil at least as adequate as the topsoil that was removed, for the purpose of providing adequate vegetative cover, and stabilization of soil conditions.
31. Require that all mineral extraction operations comply with all procedures and operations of current Dane County Mineral Extraction Ordinances.
32. Extraction activity will be limited to a maximum of 7 years with the provision for approval of additional 7-year extensions. The owner/operator will be required to provide a security bond as required by Dane County to cover the cost of the reclamation plan.

b. Any mineral extraction operation proposed outside of the designated mineral protection area shall be required to comply with the policies in para 1 thru 6 above.

**D. Existing Land Use**

1. **Existing Uses**

Exhibit 1 shows the distribution of land use in the Town of Sun Prairie. Eighty-five percent of the 20,218 acres of land in the Town of Sun Prairie are in agricultural and outdoor recreation use. Land classified as recreational accounts for 387 acres or one percent, the majority of which consists of McCarthy Park and a golf course approximately 1/2 mile east of the intersection of CTHs N and TT.

Historically, residential development has primarily consisted of detached single-family homes on large lots. Single-family residential housing makes up 695 acres or roughly 3.5 percent of the total land area. There are 17 subdivisions accounting for two percent of the total land area.

With the exception of transportation (railroad, transit, motor vehicle, street, road, right-of-way and non-motorized transportation), which accounts for 864 acres or 4.3% of the total, the remaining land use categories account for less than one percent of the total.

**Exhibit 1**

|  |  |  |
| --- | --- | --- |
| Existing Land Use by Category Total Acreage Percent of Total (%) | | |
| Single Family Residential | 695 | 3.5% |
| Two-Family Residential | 18 | <1% |
| Mobile Home | 9 | <1% |
| Commercial – Retail Sales | 21 | <1% |
| Commercial - Retail Services | 4 | <1% |
| Outdoor Recreation | 387 | 2% |
| Extractive | 20 | <1% |
| Industrial | 11 | <1% |
| Agriculture (cropland/pasture, other open vacant land and vacant unused land) | 18,123 | 85% |
| Institutional/Government | 14 | <1% |
| Open Water | 24 | <1% |
| Transportation | 864 | 4.3% |
| Communication/Utilities | 28 | <1% |
| **TOTAL** 20,218 \*100% | | |

Source: Dane County Land Information Office 2002

\*The percent total column may not equal 100% due to rounding.

1. **Land Use Conflicts**

Conflicts occur when incompatible land uses are located in close proximity to each other. Generally, residential development is incompatible with mineral extraction, livestock operations, and use of farm equipment. On adjacent property, the Town Board requires the following statement on all certified survey and zoning requests: “As owner of lot \_\_\_ of this certified survey map or rezone, I hereby stipulate that I and my heirs or assigns will not object to any legally permitted uses that occur on the adjoining property.”

1. **Real Estate Trends**

The local real estate market is heavily driven by activity in the Madison Metropolitan Area. Most of the housing demand in the Town has either been in existing subdivisions or low-density rural development in predominantly agricultural areas. The farming heritage of the Town along with the natural beauty of the area has prompted long-time residents to remain and new residents to take advantage of rural living with easy access to services and amenities available in the Madison area.

1. **Trends in Farmland Value**

Trend data in farmland value are not available for towns, however, based on reports from the UW Program on Agricultural Technology Studies (PATS), the value per acre of farmland sold in Dane County and remaining in agriculture increased from $799 in 1985-89 to $1,254 in 1995-99, or a 57 percent increase in value. By comparison, the value of an acre of farmland sold in Dane County and converted to non-agricultural uses increased from $1,169 to $1,993, or a 70 percent increase in value over the same period.

Based on the most recent PATS report on farmland sales from 1990 to 1997, 36 parcels of land totaling 2,521 acres of farmland were sold in the Town of Sun Prairie. Of the total, 2,211 acres remained in agriculture and 310 acres were converted to non-agricultural uses. The sale value of land remaining in agriculture was $1,218 per acre while the sale value of land converted to non­agricultural use was $1,720, which indicates that farmland was purchased at a 41 percent premium for conversion to non-agricultural uses.

1. **Opportunities for Redevelopment**

This Plan does not identify areas for redevelopment because there appears to be no specific areas in need of redevelopment. Existing land use policies should be adequate for review of any proposals for redevelopment.

1. **Future Land Use**

Assuming the projected annual population growth rate of 1.2 percent, Future Land Use Map 2 is intended to generally satisfy the long-term needs of the Town. The map is primarily based upon the desire to preserve and protect farmland for present and future generations. ~~The~~ Farmland ~~Preservation Plan for Dane County states that farmland~~ preservation is a cooperative effort – the result of actions by the state, counties, towns, and their residents. Farmland preservation requires a balancing of diverse and often competing interests in the use of land.

1. **Projected Land Use Demand**

Land use projections for the next 20 years for population and housing needs identified in Chapters 1 and 2 of this Plan are shown in Table 2. ~~Much of this projected residential land use will be scattered in the Agricultural Preservation District.~~ There is a sufficient number of residential lots available in the Town and in areas identified on the future land use map to meet the anticipated demand. The relatively small amount of land identified for conversion to commercial will be phased in as proposals are submitted.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Table 2: 20-Year Projection for Land Use in 5-Year Increments** | | | | |
|  | **2005** | **2010** | **2015** | **2020** |
| Population Increase | 142 | 150 | 160 | 170 |
| Housing Units Needed | 50 | 52 | 55 | 59 |
| Acres Converted\* | 50-75 | 52-78 | 55-82 | 59-88 |

\* Some of these acres area already zoned residential but currently under agricultural use.

**E. Land Evaluation Site Assessment System**

The Town will use the Land Evaluation Site Assessment System (LESA) to evaluate proposed land use changes from agriculture to other uses. Under LESA, land parcels are rated on their value as farmland. Soils are rated and placed into groups ranging from the best to the least suited for a specific agricultural use, such as cropland or forestland, resulting in a relative value for each group. For example, the best group is assigned a value of 100, while all other groups are assigned lower values. The land evaluation is based on data from the National Cooperative Soil Survey (NCSS), a nationwide partnership of all levels of government and institutions. This partnership works to cooperatively investigate, inventory, document, classify, and interpret soils and to disseminate, publish, and promote the use of information about soils.

The Natural Resources Conservation Service (NRCS) is responsible for the leadership and coordination of NCSS activities. LESA is the primary tool that the Town will use in the future to make land use decisions.

LESA uses both Land Evaluation (LE) and Site Assessment (SA) factors as described below.

1. Land Evaluation (LE) factors are based on soil-based qualities and includes: land capability classes, soil productivity ratings, soil potential ratings, and important farmland classes (e.g. exclusive agricultural zoning).
2. The Site Assessment (SA) component identifies social, economic, and geographic factors that affect land-use decision-making. Site assessment considers three major areas:
3. Non-soil factors related to agricultural use of a site.
4. Factors related to development pressures.
5. Other public values of a site.

The LESA system provides a rational, consistent, and sound basis for making land use decisions. Appendix E provides the data and methodology for making decisions based on LESA.

**F. Future Land Use Categories**

Zoning, rezoning and development in categories identified on Future Land Use Map 2 shall be guided by the policies, goals, and objectives of this *Plan*. The zoning district policies for each category will apply to the respective districts as identified below.

**1. ~~Agricultural Preservation Districts (A-1 Exclusive)~~ Exclusive Agriculture District (EA)**

1. *Exclusive agriculture and open space.* These areas are primarily reserved for agricultural purposes and shall conform to the Farmland Preservation Law to permit eligible landowners to receive tax credits under Chapter 91 of the Wisconsin Statutes.
2. *~~Agribusiness.~~* ~~Businesses related to agricultural production and small family owned and operated businesses are permitted uses in this category and eligible for rezoning.~~

**2. Other Agricultural and Preservation Districts ~~(A-2)~~ (AG, AE, RC, NBR and PRD)**

1. *Agriculture and open space.* Parcels in these areas are generally substandard agricultural parcels and zoned ~~A-2.~~ AG, AE, or PRD.
2. *~~Agribusiness.~~*  ~~Refer to section 1b above.~~ *Resource conservancy and nature-based recreation.*  Parcels in these areas will continue to be maintained as high quality natural environments and nature-based recreational resources under RC and NRB zoning.

**3. Residential ~~and Rural Home~~ Districts**

1. *Buildable Lots.* As of 2003, there are approximately 150 vacant lots, which are zoned for residential development. This number of lots is considered sufficient to meet the development needs for the Town for the next 10 years.
2. *Rural Transition Areas.* These areas lie within the boundaries of the urban service area of the City of Sun Prairie and in the proximity of CTH N and I-94. These areas would be considered for rezoning for Residential, Business, or Commercial development.
3. *Single family and multiple family residential.* These areas are currently used or zoned for single and multiple family residences, or eligible for rezoning to meet future housing needs of the Town.
4. *Proposed residential.* These areas which are adjacent to existing residential housing are eligible for rezoning for residential development to meet the future housing needs of the Town.

**4. Local Business, Commercial and Industrial Districts**

1. *Agribusiness.* Refer to section 1b above.
2. *Commercial/industrial*. These areas are currently used and zoned, or eligible for rezoning to Commercial/industrial use.

**5. Recreational ~~District~~ Areas**

*Recreational/Conservancy.* These areas are reserved for recreation, parks, and environmental corridors.

**6. Mineral Protection/Extraction Areas**

These areas are considered economic resources of the Town and are identified within specific boundaries to minimize or avoid conflict with other adjacent land uses.

**7. Other Categories**

Other categories are *Governmental and Institutional,* and *Utilities.* Subject to the approval of the Plan Commission and the Town Board, areas in these categories may be located where appropriate to meet the needs of the community.

**Section B.3.a of Chapter 5** **of the Town of Sun Prairie Comprehensive Plan is amended to read as follows with deletions shown by strikethroughs and new language shown by underlining:**

a. ~~Coordinate with Dane County to ensure~~ Ensure that existing zoning is in conformance with the Town’s *Comprehensive Plan,* and directs development away from environmentally sensitivity areas.

END