

TOWN OF SPRINGDALE

LAND USE PLAN

PREPARED BY PLAN COMMITTEE

WITH PUBLIC INPUT

EFFECTIVE DATE OF THE PLAN – MARCH 12, 2002

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## SECTION 1

### INTRODUCTION

The Town of Springdale is located in southwestern Dane County, Wisconsin, southwest of the City of Madison, between the City of Verona and the Village of Mount Horeb. Neighboring towns in Dane County include Blue Mounds, Cross Plains, Middleton, Montrose, Perry, Primrose, Vermont, and Verona.

Residing on the eastern edge of southwestern Wisconsin's driftless (unglaciated) area, Springdale's topography is consequently varied with rolling hills and attractive valleys hosting natural springs that feed some of the finest trout streams in the State. The thirty-six square mile area of Springdale lies within the Upper Sugar River Watershed. The mixture of open fields and woodlands provides a habitat for deer, turkey, pheasant, and other game. The abundant natural resources and magnificent scenic vistas create a wonderful area for people to live and pursue a variety of activities.

The area was first inhabited by Native Americans and then by immigrants from Norway, England, Germany, Ireland, and Scotland. The early settlers worked hard to establish farms and to create a strong and vibrant rural community. Within a few years of settlement, they established town government, one-room schools, churches, and small businesses. Descendants of the early settlers still live within the town today.

Today, Springdale continues to be predominantly rural with many fine established farms, extensive natural resources, magnificent scenic vistas, and a relatively low density of non-farm *residences* compared to other suburban and urban communities in Dane County. However, as family-operated dairy farms have disappeared at a rapid rate in the last quarter century, and as interest in non-farm rural homes has grown at an equally rapid rate, Springdale is faced with a new challenge: What format of land use planning will enable the town to accommodate residential development and simultaneously sustain the relatively low population density, farmland, and other natural resources that will continue to make it a desirable rural community for current and future generations?

This Land Use Plan is prepared for the general purpose of guiding and accomplishing an adjusted, coordinated, and harmonious development of the Town of Springdale, which will, in accordance with existing and future needs, best promote order, convenience, prosperity, public health, safety, and general welfare, as well as economy and efficiency in the process of any development that occurs. The Land Use Plan is intended to aid the Town of Springdale Plan Commission and Town Board in the performance of their duties relating to the growth and development of the town.

The Town of Springdale has been experiencing an increased amount of development pressure. The town recognizes that unplanned development, particularly on a large scale, can occur in a way that conflicts with and intrudes upon the general intent of preserving land for *agricultural use* and promoting the public health, safety, and general welfare for its residents. To avoid those problems and to preserve valuable land, this Land Use Plan has been developed to amend the Town of Springdale's current Land Use Plan, which was adopted in 1981.

The goals and policies in this amended Land Use Plan are intended to provide a basis for adoption and implementation of land use, development, and *land division/subdivision* and other ordinances. The Town of Springdale recognizes that the Land Use Plan will require periodic review and revision in light of changing conditions and experience gained in its implementation. The Town of Springdale Plan Commission may amend or expand this Land Use Plan from time to time as the need arises. This Land Use Plan will be reviewed annually, to improve the clarity and implementation of the policies. The Town of Springdale Plan Commission and Town Board will determine whether a major reevaluation is needed at the end of each five year period to meet any changing needs of the community.

Through this Land Use Plan, the Town of Springdale is establishing guidelines that current landowners and residents, potential landowners and residents, and/or developers are assured will apply fairly and uniformly to all citizens and upon which development decisions can be based. By referring to the goals and policies, it is possible for public and private decision-makers to consider the impact of each proposal on the town.

## SECTION 2

### DEFINITIONS

For the purposes of this Land Use Plan, the following definitions shall be used. The word “shall” is mandatory and not directory.

***Accessory building.*** Any structure which cannot be occupied as a residence, and includes an addition or an additional story to an existing accessory building. An accessory building is a subordinate or supplemental building or structure, the use of which is incidental to that of the main building on the same lot or parcel, or the use of the premises on which it is located. The use is accessory if it is subordinate to the primary use and cannot exist independently of the primary use.

***Accessory dwelling unit - attached.***

- (a) A second dwelling unit, limited in size, which is physically attached to an existing principal dwelling.
- (b) Accessory dwelling units have their own entrance, and do not share a main entrance with the principal residence on the lot.

***Accessory dwelling unit-detached.***

- (a) A second dwelling unit, limited in size, which is in a freestanding accessory building, located on the same lot as a principal dwelling.
- (b) This definition includes accessory buildings constructed in connection with a private garage, or a private garage converted into a dwelling unit.
- (c) A detached accessory dwelling requires an additional density unit per this Land Use Plan.

Accessory structure. A structure associated with an accessory use.

Accessory use. A land use incidental to, and customarily associated with a specific principal use. Accessory uses must be located on the same lot or parcel and in the same zoning district as the principal use.

Agricultural entertainment.

- (a) An agricultural accessory use, taking place on a farm, that combines the elements and characteristics of agriculture and tourism.
- (b) Examples of agricultural entertainment include, but are not limited to: corn mazes, pick your-own operations, hay rides, sleigh rides, petting farms, on-farm tours, agricultural related museums, demonstrations of farming practices, techniques and methods, educational activities about farm animals and camps

centered around interaction with farm animals, fee based fishing and hunting, horseback riding, nature trails, haunted barns, farm breakfasts and luncheons, and similar activities which are related to agriculture.

***Agricultural land.*** (A) Consists of land that has since 1981 been plowed or used as open pasture. (B) Consists of plowed or open pasture land that since 1981 has been placed in federal programs, in return for payments in kind or that has been enrolled in the conservation reserve program.

***Agricultural use.*** Includes beekeeping; dairying; egg production; floriculture; fish or fur farming; forest and game management; grazing; livestock raising; orchards; plant greenhouses and nurseries; poultry raising; raising of grain, grass, mint and seed crops; raising of fruits, nuts and berries; sod farming; vegetable raising; land placed in federal programs in return for payments in kind; land that is enrolled in the conservation reserve program.

Agriculture-related use. A facility, whether or not located on a farm, that has at least one of the following as a primary, and not merely incidental purpose:

- (a) Providing agricultural supplies, agricultural equipment, agricultural inputs, or agricultural services directly to farms, including farms in the farmland preservation zoning district.
- (b) Storing, processing, or handling raw agricultural commodities obtained directly from farms, including farms in the farmland preservation zoning district.
- (c) Processing agricultural by-products or wastes received directly from farms, including farms in the farmland preservation district.

Animal Boarding, domestic pet. Any premises that accommodates six or more domestic pets during the daytime hours or overnight, including both indoor and outdoor facilities. May also include accessory retail sales of pet food, pet supplies, and related items; limited to 250 square feet of floor space.

- (a) Examples of these land uses include: commercial kennels, pet breeding operations, and pet day-care operations.
- (b) Domestic pet animal boarding does not include:
  - 1. The keeping of six or more domesticated songbirds, aquarium fish, or reptiles that are kept indoors and owned by a resident of the property;
  - 2. Temporary foster care not to exceed a residence of six weeks per animal;
  - 3. overnight or observational care for patients of a veterinary clinic;
  - 4. Large animal boarding, domestic fowl or beekeeping, colony houses, small-scale farming, or agricultural livestock operations.

Animal Boarding, large animal. Any premises that accommodates six or more of any animals, not owned by the owner of the property, not including domestic pets, domestic fowl, or domestic bees. Exercise yards, fields, training areas, and trails associated with such land uses are considered accessory to such land uses and do not require separate consideration.

(a) Examples of these land uses include commercial stables, livestock boarding, wildlife rehabilitation centers, and game farms.

(b) Large animal boarding does not include: temporary foster care not to exceed a residence of six weeks per animal, overnight or observational care for patients of a veterinary clinic, domestic pet boarding, domestic fowl or beekeeping, colony houses, small-scale farming, or agricultural livestock operations.

Animal unit. One animal unit shall be defined as being the equivalent of 1 cow, 4 hogs, 10 sheep, 10 goats, 100 poultry, 1 horse, 1 pony, 1 mule, or 100 rabbits, or an equivalent combination thereof. The WI DNR Animal Unit Worksheet shall be used to determine animal unit if not defined above.

Bed and breakfast. See Transient or tourist lodging.

**Building.** Any structure erected or constructed of wood, metal, stone, plastic, or other materials, which is intended to be used by human beings or animals for occupancy, livery, commerce, education, cultural activities, or other purposes. The term does not include children's play structures and portable agricultural structures.

**Building envelope.** The area on a *certified survey map, plat, or concept plan* within which a *dwelling unit* and accessory *buildings* shall be contained.

**Building height.**

(a) The vertical distance, measured from the mean elevation of the finished grade along the front of the building to the highest point on the roof for flat roofs; to the mean height level between the highest ridge and its associated eave for gable and hip roofs; to the deck line for mansard roofs.

(b) The front of the building shall be the side directly facing the public or private thoroughfare which affords primary means of access to the property, excluding the driveway.

**Building lot.** See *Lot*.

**Campground.** Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 2 or more camping units, or which is advertised or represented as a camping area. Campgrounds may

include buildings to provide services to patrons, such as restrooms, bathing, laundry, and commissary facilities.

***Caretaker's residence.*** A dwelling on a nonresidential property occupied by the person who oversees the nonresidential property 24 hours a day, and his or her family.

***Cemetery.***

- (a) Any land that is used, or intended to be used for the burial of human remains.
- (b) Examples of cemeteries include, but are not limited to; cemeteries, mausoleums, columbarians and burial chapels.

***Certified survey map (CSM).*** A map of *land division*, not a *subdivision*, prepared in accordance with Sec. 236.34, Wis. Stats. and in full compliance with the applicable provisions both of Chapter 75, Dane County Code and of Town of Springdale Land Division and Subdivision Code, except that a *certified survey map* shall not be required if all of the *lots*, parcels, or *building sites* created by a *land division* are more than 80 acres in area, however the land divider shall comply with Section 4 (F) of this Plan and Section 3.19(6) of the Town of Springdale Land Division and Subdivision Code. A *certified survey map* shall be required if any of the *lots*, parcels or *building sites* created by *land division* are 80 acres or less.

***Clustering.*** *Dwelling units* grouped on only a portion of a parcel of land.

***Commercial development.*** Development for retail sales and services.

***Communications tower.*** Refer to Dane County Zoning Department.

Community living arrangements. Refer to Dane County Zoning Department.

Community Garden. A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family.

Concept plan. A plan submitted by a landowner to be used by the Plan Commission to determine whether the *development area(s)*, *building envelope(s)*, and proposed *lot(s)* for property that will be divided will comply with the applicable Town regulations, ordinances and plans, including the goals and objectives of the Plan. The *concept plan* shall consist of (1) An aerial photograph showing all of the contiguous acres owned by the landowner on the Plan effective date; (2) the identified *development areas* that can accommodate the potential number of *building envelopes*; (3) consideration of access for all *building envelopes*; and (4)



any current proposals for *development areas, building envelopes, lots, including lot sizes*; and driveway and utility access to them.

**Contiguous.** *Lots* or parcels shall be considered as *contiguous* for the purposes of this Land Use Plan, if they share a common boundary within the Town of Springdale for a distance of at least 66 feet. For the purposes of calculating *density unit(s)*, a real estate parcel that is divided by a public road, whether an easement road or a fee title road, or by a navigable water body, or by a private drive owned by an entity other than the entity that owns the abutting lands, such parcels shall be treated as *contiguous*.

**Daycare centers.** A place or home which provides care for eight (8) or more children under the age of seven (7) years for less than 24 hours a day, and is licensed as provided for in s. 48.65 of the Wisconsin Statutes.

**Deed restriction.** Legal restriction documents that serve to limit the uses of real property usually to maintain or enhance the value and quality of the land and surroundings. (1) To limit the range of permitted uses on a property. (2) To inform landowners and potential buyers when a property's development potential has been exhausted based on current Town land use policies.

**Density unit(s).** The number of dwelling unit(s) per acre of land ownership allowed in the residential density options in this Land Use Plan.

**Development area.** An area of land indicated or defined on a *concept plan* as being suitable for *building envelope(s)*.

**Domestic beekeeping.** The keeping of honeybees in a residential zoning district.

**Domestic fowl.** Female chickens, ducks, and quail. Geese, turkeys, and pea fowl are not considered domestic fowl for the purposes of this plan.

**Domestic pets.**

- (a) Any animal that:
  - 1. Has been bred or raised to live in or near the habitations of humans;
  - 2. Is not kept for slaughter, milk, eggs or the harvesting of fur, wool or plumage, and;
  - 3. Is dependent on humans for food and shelter.
- (b) Domestic pets include, but are not limited to: dogs, cats, and domestic ferrets.
- (c) Domestic pets do not include: horses, sheep, any animal equivalent to one-half animal unit or larger, endangered species, wildlife, livestock, domestic fowl, or bees.

**Duplex dwelling unit.** A building designed for and to be occupied by two families or two households living independently of each other not having a shared entrance.

**Dwelling unit.** A building, or part of a building, fixed to the ground, containing living, sleeping, housekeeping accommodations, and sanitary facilities for occupancy by one or two families.

**Environmental corridors.** Continuous systems of open space that include environmentally sensitive lands and natural resources requiring protection from disturbance and development, and lands needed for open space and recreational use.

**Existing dwelling unit.** (1) A building occupied before the *Plan effective date*. (2) A dwelling unit to be constructed or already under construction for which the building permit has been issued before the *Plan effective date*.

**Family.** A single housekeeping unit, with occupants living together on the premises comprised of either:

- (a) Any number of individuals related by blood, adoption, foster care, domestic partnership, marriage, or
- (b) No more than five unrelated individuals.

**Farm.** All land under common ownership that is primarily devoted to agricultural use. For the purposes of this land use plan, “primarily devoted” means that a majority of the usable land is in agricultural use.

**Farm residence** Refer to Dane County Zoning Department.

**Floodplain.** The land adjacent to a body of water that has been or may be hereafter covered by water. *Floodplains* provide areas where floodwaters are stored and thus reduce flood velocities and flood sedimentation. *Floodplains* filter nutrients and impurities from run-off, process organic wastes, and help to moderate temperature fluctuations, ground-water recharge and fish and wildlife habitat. A *floodplain* is generally defined as land where there a one percent chance of flooding in any year (100-year *floodplain*).

**Full-time equivalent employees.** For purposes of this definition, a “full-time” employee is considered one who works 40 hours weekly. When calculating the number of full-time equivalent employees, the number of hours worked by all employees will be added together and divided by 40. For example:

- A. Assume three people work for a particular employer.
- B. Person A regular works 40 hours weekly.
- C. Persons B and C both regularly work 20 hours weekly.
- D. For purposes of this Plan, the employer is considered to have two full-time equivalent employees.

Hours worked off-site by employees will not count towards the calculation above.

~~-GIS.~~ Geographical information system

**Hamlet.** Name of a zoning district with small-scale businesses and compact commercial and residential development in close proximity to rural and agricultural land.

**Heavy industrial.** Refer to Dane County Zoning Department.

**Home occupation.** A home occupation is any activity carried on by a member of the family residing on the premises, which meets all of the following conditions:

- (a) The occupation is conducted within a dwelling and not in an accessory building;
- (b) Only members of the family residing on the premises may be employed on the premises, plus a maximum of one other unrelated person;
- (c) No stock-in-trade is kept or commodities sold, other than those made on the premises;
- (d) Samples may be kept but not sold on the premises;
- (e) No mechanical equipment is used except such as may be used for purely domestic or household purposes;
- (f) Such occupation shall not require internal or external alterations, or involve construction features not customary in a dwelling;
- (g) No more than 25 percent (25%) of the floor area of one (1) story of the dwelling is devoted to the occupation;
- (h) The entrance to the space devoted to the occupation is from within the building;
- (i) There is no evidence, other than the sign referred to in subsection (j) below, that shall indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling; and
- (j) One (1) sign shall be permitted, which sign shall be attached to the building, shall not exceed two (2) square feet in area and shall not be lighted at night.

**Incidental room rental.** Rental or leasing of rooms within a single-family residence, provided all of the following are met:

- (a) All rooms offered for rent are within, and share a main building entrance with, the landowner's primary residence.

- (b) No more than two bedrooms are offered for rent.
- (c) One off-street parking space is provided for each rental room.

***Indoor entertainment or assembly.***

- (a) All land uses which provide entertainment services 10 or more days per calendar year, entirely within an enclosed building. Such activities often have:
  - 1. operating hours which extend significantly later than other commercial land uses and;
  - 2. event-driven attendance of 50 or more people, who typically arrive and leave the premises as a group, and may congregate outside before and after an event.
- (b) Examples of such land uses include, but are not limited to: restaurants, taverns, theaters, dance clubs, music or performance venues, and auditoriums.

***Indoor sales.***

Includes all principal land uses that conduct or display sales or rental merchandise or equipment completely or nearly completely within an enclosed building. Indoor sales operations may provide incidental service and indoor repair as an accessory use.

- (a) Indoor sales include, but are not limited to: general merchandise stores, grocery stores, bait shops, sporting goods stores, antique stores, gift shops, laundromats, artisan studios, and bakeries.
- (b) Indoor sales do not include adult bookstores, personal or professional services, or automotive sales.

***Indoor storage and repair.*** Uses that are primarily oriented to the receiving, holding and shipping of materials for a single business. Such uses are not for retail sales, storage of personal belongings of others, or warehousing of materials for others. With the exception of loading facilities, such uses are contained entirely within an enclosed building.

***Institutional residential.***

- (a) A congregate residential use that provides some level of human, health or social service to non-transient residents, in addition to basic housing.
- (b) Institutional residential uses include, but are not limited to: group homes, convents, monasteries, nursing homes, convalescent homes, rehabilitation centers, assisted living facilities, congregate care facilities, and retirement communities.
- (c) Institutional residential uses do not include: community living arrangements, day care centers, duplexes, multifamily residences, rooming houses, adult family homes, foster homes, or treatment foster homes.

***Intensive livestock operation.*** An intensive livestock facility means a feedlot, dairy farm or other operation where livestock are or will be fed, confined, maintained or stabled for a total of 45 days or more in any 12-month period. A “livestock facility” includes all of the tax parcels of land on which the facility is located, but does not include a pasture or winter grazing area. Related livestock facilities are collectively treated as a single “livestock facility” for purposes of this chapter, except that an operation may elect to treat a separate species facility as a separate “livestock facility”. This applies to the state minimum threshold of 500 animal units or more. (Animal unit has the meaning that was given in s. NR 243.03(3) as of April 27, 2004 (the date on which the livestock facility siting law, 2003 Wis. Act 235, was published).

***Kennel.*** See *Animal boarding, domestic pet*

***Land disturbing activity.*** Any alteration or disturbance that may result in soil erosion, sedimentation or change in runoff including, but not limited to, removal of ground cover, grading, excavating, or filling of land.

***Land division.*** A division of a lot or parcel of land which is not a subdivision for the purpose of transfer of ownership, where the act of division creates fewer than five (5) lots, parcels or building sites. A land division shall not create more than four (4) lots in any five (5) year period.

***Landowner.*** See *Owner*

***Light industrial.*** Refer to Dane County Zoning Department.

***Limited family business.*** A small family-run commercial operation, accessory to a permitted principal use, that takes place entirely within an accessory building. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.

***Limited farm business.*** An agricultural accessory use that meets all of the following criteria:

- (a) Consists of a business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm;
- (b) Requires no buildings, structures, or improvements other than existing agricultural buildings or a farm residence;
- (c) Employs no more than 4 full-time equivalent employees annually, who are not members of the family residing on the farm, and;

- (d) Does not impair or limit the current or future agricultural use of the farm or of other protected farmland.

***Livestock.***

- (a) Except as listed below, bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids, ratites, and farm-raised fish.
- (b) For the purposes of this land use plan, the following are not considered livestock:
1. Five or fewer equine animals on a premises in the Rural Mixed-Use Districts
  2. Domestic fowl
  3. Domestic pets
  4. Domestic beekeeping

***Lot.*** A parcel of land having frontage on a public street or other officially approved means of access, occupied or intended to be occupied by one (1) *building* and its accessory *building* and uses and sufficient in size to meet the *lot* width, *lot* frontage, *lot* area, yard, parking area and other open space provisions of this chapter and any applicable zoning ordinance. A *lot* may be a parcel designated in a *plat* or described in a conveyance recorded in the office of the register of deeds.

***Lot line adjustment.*** The sale, conveyance or exchange of one or more parcels of land between owners of adjoining property. *Lot line adjustment* does not include the sale, conveyance or exchange of *lots* lawfully created by *certified survey map* or *plat*.

***Manufactured home.***

- (a) A residential dwelling for one family as is defined in s. 101.91(2), Wis. Stats., that:
1. Is fabricated in an off-site facility for installation or assembly at the building site,
  2. Bears a HUD label or insignia certifying that it is built in compliance with the Federal Manufactured Housing Construction Standards under 42 U.S.C. ss. 5401 to 5425, and
  3. Was built after June 14, 1976. 795 (b).
- (b) A manufactured home is considered a single-family dwelling for the purpose of this plan.

***Mineral Extraction.***

- (a) Quarrying, excavation or removal of sand, gravel, limestone, earth, soil, or other mineral resources.
- (b) Mineral extraction does not include:
  - 1. Site preparation for residential or commercial plats
  - 2. Construction or landscaping projects
  - 3. Soil conservation practices
  - 4. Stream, lake, or shoreline protection projects
  - 5. Agricultural land leveling projects conducted in accordance with NR 151, Subchapter II, Wisconsin Administrative Code, provided materials are not removed from the site.
  - 6. Composting, storage or processing of materials that meet the definition of an agriculture related use
  - 7. Solid waste disposal operations

***Mini-warehouses.*** See ***Personal storage facility***

***Mobile home.***

- (a) A transportable factory-built structure as is defined in s. 101.91(10), Wis. Stats., designed for long-term occupancy by one family and either:
  - 1. Was built prior to June 15, 1976, or
  - 2. Does not comply with the Federal Manufactured Housing Construction and Safety Standards Act.
- (b) A mobile home is not considered to be a type of single-family dwelling for the purposes of this Plan.

***Motor vehicle.*** Cars, trucks, buses, semi-tractors, and semi-trailers which may be used to transport goods, materials, freight, or passengers.

***Nonconforming parcel.*** A lot or zoning parcel lawfully created prior to Dane County's zoning ordinance or relevant amendments took effect, and which does not conform to current area or lot width standards of this ordinance. Also known as a "substandard parcel."

***Nonconforming structure.*** A structure lawfully erected prior to the time Dane County's ordinance or relevant amendments took effect, and which does not conform to the setback, side yard, rear yard, lot coverage, height, or other dimensional requirements of this Plan.

***Nonconforming use.*** A lawfully created use that existed prior to the time this Land Use Plan took effect, and which does not conform to the current standards of this Plan.

***Non-residential use.*** Any use that is not a *residential use*.

***Notice document.*** A recorded instrument to notify future landowners and others of unusual features, policies, regulations, or other characteristics that may affect future development potential or other speculative use of a specific property. All notice document instruments must meet the minimum recording standards of the Dane County Register of Deeds. A *notice document* may be placed on property and filed in the office of the Dane County Register of Deeds to inform the public of the status of property with regard to current land use policies. A *notice document* may be drafted by town or county officials. Removing the *notice document* does not require a formal petition to the town or the county. Rather, a “Cancellation of Notice” form can be filed with the Dane County Register of Deeds and must have the notarized signature of a town or county official.

***Office.*** An exclusive indoor land use whose primary function is the handling of information or administrative services. Such uses do not typically provide services directly to customers on a walk-in or on-appointment basis.

***Outdoor assembly event.***

- (a) Any organized activity, not including agricultural entertainment events, of more than one hundred (100) persons, occurring 10 or more days per calendar year, that occurs entirely or partially outdoors.
- (b) Examples of such land uses include, but are not limited to: outdoor concerts or performances, fairs, festivals, weddings, parties, banquets, circuses, sporting events, races, and amusement parks.

***Outdoor entertainment.***

- (a) All land uses which provide, on a permanent or ongoing basis, entertainment services partially or wholly outside of an enclosed building. Such activities often have the potential to be associated with nuisances related to noise, lighting, dust, trash, and late operating hours.
- (b) Examples of such land uses include, but are not limited to: shooting ranges, outdoor swimming pools, driving ranges, miniature golf facilities, volleyball courts, amusement parks, drive-in theaters, go-cart tracks, and racetracks.

***Outdoor passive recreation.***

Outdoor activities that generally do not require a developed site, and have minimal impact on natural resources and surrounding properties. Such land uses may include, but are not limited to: arboretums, natural areas, wildlife areas, hiking trails, bike trails, cross country ski trails, horse trails, open grassed areas not associated with any particular active recreational land use, picnic areas,



picnic shelters, gardens, fishing areas, and similar land uses.

***Outdoor storage.***

- (a) Any activity located primarily outdoors involving the receiving, holding and shipping of materials for a single business.
- (b) Outdoor storage does not include loading and parking areas, storage of materials typically associated with a salvage or junkyard, salvage recycling centers, or solid waste recycling centers.
- (c) Outdoor storage of materials is not permitted within any building setback area.

***Owner.*** Either a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, trust, or a combination of these.

***Person.*** Except where otherwise indicated by the context, the word person shall include the plural, or a company, firm, corporation, or partnership.

***Personal and professional services.***

- (a) All exclusively indoor land uses whose primary function is the provision of services directly to an individual on a walk-in or on-appointment basis.
- (b) Examples of such land uses include, but are not limited to: professional services, insurance services, realty offices, financial services, repair and maintenance of small items conducted indoors, medical offices and clinics, veterinary clinics, barbershops, beauty shops, and related land uses.
- (c) Personal and professional services do not include adult entertainment or vehicle repair and maintenance services.

***Personal storage facility.*** A facility that provides indoor storage of personal items entirely within partitioned buildings having an individual access to each partitioned area. Also known as "mini-warehouses."

***Plan effective date.*** The date on which the town adopted this Land Use Plan, March 11, 2002.

***Plat.*** A map, drawing or chart on which the subdivider's *plat* of *subdivision* is presented to the town for approval. A *plat* shall not be required if all of the *lots*, parcels, or *building* sites created by a *subdivision* are each more than 80 acres in area, however the land divider shall comply with Section 4 (F) of this Plan and Section 3.19(6) of the Town of Springdale Land Division and Subdivision Code. A *plat* shall be required if any of the *lots*, parcels or *building* sites created by a *subdivision* are 80 acres in area or less.

**Preliminary plat.** The preliminary *plat* map, drawing or chart indicating the proposed layout of a *subdivision* to be submitted to the plan commission/town board for their preliminary consideration as to compliance with the Town of Springdale Master Plan and this chapter along with required supporting data, prior to the final *plat*, and when required, prior to a *land division*.

**Property maintenance shed.** A small utility structure, no larger than 600 square feet, used exclusively for storage of materials or equipment in conjunction with the maintenance of the property. Property maintenance sheds may be allowed on properties without a principal residence. Property maintenance sheds have no plumbing fixtures and cannot be used for living or sleeping purposes.

**Racetrack.** An outdoor entertainment activity consisting of any location hosting a gathering of more than three people for the purpose of repetitive motor vehicular activity over a fixed course or area, which persists for periods in excess of 30 minutes in any one 24 hour period.

**Recreational racetrack.** A defined or fixed course for the driving of a motorcycle, automobile, ATV, snowmobile, go-cart, or any other similar motorized craft used for personal use.

**Residence.** See *Dwelling unit*.

**Residential use.** Land use for a *dwelling unit*. Single family detached dwelling units and *duplex dwelling units* are permitted *residential uses*. *Residential uses* do not include multiple family dwelling units because they are prohibited in the *Plan*.

**Roof height.** See *Building height*.

**Rooming house.** Refer to Dane County Zoning Department.

**Rural character.** *Agricultural land*, natural habitats, open spaces, and scenic vistas relatively unaffected by a low density of residential and other development.

**Rural town.** The low density population, infrastructure, services, and tax base that distinguishes a rural community from a suburban or urban community.

**Sanitary fixture.** Any plumbing fixture that requires discharge to a private onsite wastewater treatment system or public sanitary sewer system pursuant to state or county plumbing code.

**Small-scale farming.** Any agricultural use operated for recreational, hobby or supplementary income purposes on a site with a non-agricultural principal use. Animal use is limited to one animal unit per acre.

**Screening.** The use of natural vegetation or plantings to render development sites inconspicuous from surrounding roadways and countryside.

**Site plan.** An aerial photograph or drawing provided or approved by the Town of Springdale that indicates all existing and proposed *buildings*, parking areas, waste disposal areas, storage areas, and any existing and proposed fencing and *screenings*.

**Shorelands.** Refer to Dane County Zoning Department.

**Single family dwelling unit.** A building, or part of a building, fixed to the ground, containing living, sleeping, housekeeping accommodations, and sanitary facilities for occupancy by one family.

**Strip development.** A series of commercial or residential land uses generally one *lot* deep along a road or highway, with each use usually requiring an access to the road.

**Structure.**

- (a) Any human-made object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed.
- (b) Structures include, but are not limited to, any building, dwelling, manufactured building, manufactured home, mobile home, house trailer, recreational vehicle, boathouse, boat shelter, advertising sign, deck, patio, driveway, fence, retaining wall, or other improvement or any part of such structure.
- (c) A structure includes any permanent or temporary attachments, including but not limited to awnings, extensions, porches or decks.

**Subdivision.** A division of a parcel of land where the act of division creates either: five (5) or more *lots*, parcels or *building* sites; or five (5) or more *lots*, parcels or *building* sites by successive divisions within a period of five (5) years whether by the original *owner* or a subsequent *owner*. All area calculations shall be exclusive of any dedications, rights-of-way, easements or reservations.

**Temporary or portable building.** Refer to Dane County Zoning Department.

**Transient or tourist.**

- (a) A person who travels to a location away from his or her permanent or legal

address for a short period of time, not to exceed twenty-nine days, for vacation, pleasure, recreation, culture, business, or employment.

- (b) For the purposes of this Plan, transients or tourists do not include:
1. Nonpaying guests of the family occupying a dwelling unit;
  2. Patients, clients, or residents of permitted indoor institutional, institutional residential, or community living arrangement land uses;
  3. Employees who receive room and/or board as part of their salary or compensation.

***Transient or tourist lodging.***

- (a) A residence that rents more than two, but not more than eight bedrooms to transient guests or tourists, where all of the following apply:
1. Rooms are rented to no more than a total of 20 individuals who are not members of the landowner's family.
  2. Length of stay does not exceed twenty-nine (29) consecutive days for each registered guest.
- (b) Transient lodging houses may include, but are not limited to: bed and breakfasts, hostels, and recreational cabins.
- (c) Transient lodging does not include: incidental room rental, campgrounds, duplexes, multifamily housing, institutional residential, indoor institutional, community living arrangements, rooming houses, or indoor commercial lodging.

***Urban service area.*** Refer to Dane County Zoning Department.

***Use, conditional.*** A land use, which because of the potential for unusual or site-specific impacts, may be lawfully established only with an approved conditional use permit, and subject to specific limitations or conditions.

***Use, permitted.*** A land use which may be lawfully established, and that conforms with all requirements and standards of this Plan and the zoning district in which the use is located.

***Use, principal.*** The main or primary use of land or buildings, as distinguished from a subordinate or accessory use.

***Variance.*** Permission, as granted by the Board of Adjustments under s. 10.101(10), to depart from the dimensional standards of the Dane County ordinance.

***Vehicle repair or maintenance service.*** Includes all principal land uses that perform repair, maintenance, or painting services to motorized vehicles.

***Warehousing or distribution facilities.*** Any land use oriented to the short-term indoor storage, shipment, and possible repackaging of commercial materials of a single user.

***Wetlands.*** An area where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions.

## SECTION 3

### GOALS AND POLICIES

- (A) Support the population density, infrastructure, services, and tax base of a rural town.
- (B) Preserve the *agricultural land*, open spaces, and other natural resources of a *rural town*.
- (C) Protect *agricultural uses* of the land.
- (D) Enable landowners to develop land for residential uses with minimal impact on the rural aspects of the town.
- (E) Encourage safe, convenient, and environmentally sound housing that blends with the natural landscape.
- (F) Respect environmentally sensitive areas and culturally significant sites.
- (G) Limit *non-residential uses* to enterprises that enhance the rural quality of life throughout the town and that accommodate the higher residential density within Mt. Vernon.
- (H) Prohibit large *non-residential uses* and *industrial development*.
- (I) Maintain the town's local control of land use decisions through this Land Use Plan and through county and town ordinances that uphold the Land Use Plan.
- (J) It is not the goal of this Land Use Plan to prevent development within the town, but rather to adhere to the goals and policies herein as the official guide to future growth and development within the town.

## SECTION 4

### IMPLEMENTING THE GOALS

- (A) The development of a Land Use Plan for implementing the goals has required compromise to maintain the public good and to balance the interests of landowners wanting to preserve the rural aspect of the town (lower population density, simpler infrastructure, and lower real estate taxes) with the interests of landowners wanting to profit from the division of land for residential use. During many meetings with input from different viewpoints, a compromise has emerged. This Land Use Plan allows a higher density of residential development than in most Dane County towns, in exchange for adopting density standards as well as site design standards that minimize the impact of residential development.
- (B) Any division for *non-residential uses* will be governed in Section 10.
- (C) This Land Use Plan offers three density options in the development of land for residential use [see note 1 in Land Use Plan Section 15(A)].
1. Residential Density Option 1: Enables a *land division* or *subdivision* with relatively few requirements. It allows one (1) new *lot* for residential use for each twenty-five (25) *contiguous* acres owned [see note 2 in Land Use Plan Section 15(A)]. This option is for all *land division* or *subdivision* proposals that meet the basic requirements of the state, the county, and Town of Springdale Ordinances.
  2. Residential Density Option 2: Enables a higher density for landowners who voluntarily agree to meet the criteria in this option. It allows one (1) new *lot* for residential use for each seventeen (17) *contiguous* acres owned [see note 2 in Land Use Plan Section 15(A)]. This option is for all *land division* proposals that meet the basic requirements of option 1 and that meet the additional requirements of option 2.
  3. Residential Density Option 3: Enables the highest density in the development of a rural *subdivision*. It allows one new *lot* for residential use for each fourteen (14) *contiguous* acres owned [see note 2 in Land Use Plan Section 15(A)]. This option is for all *subdivision* proposals that meet the Town of Springdale's *subdivision plat* requirements.
- (D) Switching among the residential density options requires approval of the Town of Springdale Plan Commission and shall be based on sufficient remaining acreage to

qualify for *density unit(s)* and *development area(s)* and on demonstration that prior conveyances of land designated as *development area(s)* in the *concept plan* were consistent with the higher numbered option.

1. Can be considered from a lower numbered option to a higher numbered option before creating a second new *lot* for new residential use. After the creation of a second new *lot* for new residential use, all subsequent *lot(s)* shall continue to be created under the same residential density option as the second new *lot* [see note 3 in Land Use Plan Section 15(A)].
  2. Can be considered from a higher numbered option to a lower numbered option [see note 4 in Land Use Plan Section 15(A)].
  3. For increased flexibility on land consisting of enough acres to designate two (2) or more areas of one-hundred (100) *contiguous* acres each, then, with the approval of the Town of Springdale Plan Commission that each area of one-hundred (100) *contiguous* acres is suitable for a different residential density option, then they may be treated separately for the purpose of selecting a residential density option. Approval shall be contingent upon review by the Plan Commission of the total *contiguous* acres owned on the *Plan effective date*, and the determination that the selected areas satisfy the goals and policies of the Land Use Plan. Prior conveyances or construction of improvements may affect the *land division* options available.
- (E) In the case of a *landowner* with *contiguous* parcels and/or prior *land divisions*, the *concept plan* shall be prepared to show all *contiguous* parcels and/or land covered by prior *land divisions* owned on the *Plan effective date* without affecting the calculation of density unit(s). This applies to all land owned before or after the Plan effective date.
- (F) Creation of Parcels Greater than Eighty (80) Acres. A *certified survey map* or *plat* shall not be required if all of the *lots*, *parcels*, or *building* sites being created are more than 80 acres in area, however prior to dividing the land, the land divider or subdivider shall submit a *concept plan* to the Plan Commission. Prior to dividing or subdividing the land, the land divider or subdivider shall also provide the Plan Commission with a *notice document* that specifies the apportionment of the density units among the property and the *lots*, *parcels*, and *building* sites being created. The Plan Commission shall confirm that the apportionment of *density units* conforms to the goals and policies of the Land Use Plan. The *notice document* shall be in a form and substance acceptable to the Plan Commission and shall be recorded with the Dane County Register of Deeds. The Plan Commission may require that the notice document notify *landowners* that special assessments for public improvements



may be imposed by the Town against the benefiting property. Approval of *development areas/building envelopes* shall be contingent upon review by the Plan Commission of the total *contiguous* acres owned on the *Plan effective date*, and the determination that the proposed *development areas/building envelopes* satisfy the goals and policies of the Land Use Plan. Prior conveyances or construction of improvements may affect the land division options available. A *certified survey map* or *plat* shall be required if any of the *lots*, parcels, or *building sites* are 80 acres in area or less. {See note 5 in Land Use Plan Section 15(A).} The Town is not obligated to approve driveway permits and/or building permits for lots, parcels or building sites created after May, 20, 2013, (date of adoption of this Plan amendment.) without prior approval of a *concept plan*.

- (G) Annexed Land. Should any parcels of land or portion(s) thereof from the *contiguous* acres owned on the *Plan effective date* be annexed out of the Town, only those acres remaining in the Town shall be considered when calculating currently available land divisions.
- (H) The intention of this Land Use Plan is to generate cooperative decision making between an applicant for *land division* or *subdivision* and the Town of Springdale Plan Commission, so that the creation of *lots* for residential and/or *non-residential uses* optimizes the proposal to best meet the criteria under each residential density option or Section 10 criteria for *non-residential uses*. When the Town of Springdale Plan Commission determines that a *land division* or *subdivision* proposal does not satisfy the criteria under the applicant's chosen option, then the applicant can submit another proposal or request that the Town of Springdale Plan Commission present a proposal that does meet the criteria or the applicant can choose to switch to a lower numbered option.
- (I) It is recommended that anyone buying or selling real estate with a specified number of density units verify that a town-approved concept plan is on file in the town hall which documents the allocation.

## SECTION 5

### RESIDENTIAL DENSITY OPTION 1

#### (A) Calculation of Density Units

1. *Contiguous* acres owned shall be determined on the *Plan effective date* and be based on *GIS Data* [see note 1 in Land Use Plan Section 15(B)].
2. One new *lot* for residential use may be created for each twenty-five (25) *contiguous* acres owned. See Table 1 for calculations of *density unit(s)* [see note 2 in Land Use Plan Section 15(B)].
3. An *existing dwelling unit* on the *Plan effective date* shall not affect the number of new *lots* which can be created as calculated from Table 1 “Quick Guide to Town of Springdale Land Use Options.”

#### (B) Land Division(s) and Building Envelope(s) for Residential Use

1. Prior to the submission of an application for the approval of a *certified survey map* or *plat*, the *landowner* shall submit a *concept plan* to the Town of Springdale Plan Commission for the approval of the location and suitability of the *development area(s)*, *building envelope(s)*, and proposed *lot(s)*.
2. When considering requests for *land division* or *subdivision*, the Town of Springdale Plan Commission shall take into account prior *conveyances* of land designated as *development area(s)* in a *concept plan*.
  - (a) If all or part of the approved *development area(s)* is sold by a landowner, before the *lot(s)* are created by *certified survey map* or *plat*, the Town of Springdale Plan Commission is not compelled to approve new *development area(s)*.
3. *Lot lines* shall be located and *lot sizes* shall be configured to best satisfy the following:
  - (a) *Lot lines* shall be located so as to minimize the breakup of *contiguous tracts of agricultural lands*. Similarly, *lots* shall be sized to minimize the breakup of *contiguous tracts of agricultural lands*. To the extent possible, *lot lines* shall be located to follow previously existing natural or man-made boundaries, such as roads, fence

rows, woods, waterways, streams, or similar boundaries. If *lot* lines must cross agricultural fields because other boundaries are not possible, it is desirable to locate them in such a way so as to maintain the maximum size agricultural fields in one *contiguous* parcel.

4. *Building envelope(s)* shall be located to best satisfy the following:
  - (a) *Building envelope(s)* shall not be located in the middle portion of an agricultural field unless the middle portion of the field is not suitable for productive agricultural fieldwork. If *building envelope(s)* must be located on *agricultural land* because other locations are not possible, it is desirable to locate them near the edges of agricultural fields and/or to use the least productive soil as determined by soil types.
  - (b) *Strip development* shall be avoided whenever possible. If several *building envelope(s)* must be located along the roadway, it is desirable to mitigate their impact by requiring *screenings* and/or varying the driveway lengths, *lot* sizes, and setbacks.
  - (c) When adherence to criteria in Land Use Plan Section 5 creates a conflict with public safety, then the Town of Springdale Plan Commission shall give precedence to public safety.
  - (d) All criteria in Land Use Plan Section 5 shall apply whenever possible.
  - (e) Any changes in the location of a *building envelope(s)* as defined on a *concept plan* shall require a public hearing by the Town of Springdale Plan Commission and approval by the Town of Springdale Town Board. [see note 7 in Land Use Plan Section 15(B)].
  - (f) The largest *building envelope(s)* that can meet the criteria in Land Use Plan Section 5 shall be defined on the *concept plan*.
  - (g) Any changes in the *concept plan* shall require approval of the Town of Springdale Plan Commission.

(C) Residential Driveways

1. Residential driveways shall be sited and constructed in a manner which best minimizes their impact on *agricultural land*.

2. Up to three (3) *single family detached dwelling units* may share one driveway, or one (1) *single family detached dwelling unit* and one (1) *duplex dwelling unit* may share one (1) driveway [see note 3 in Land Use Plan Section 15(B)].
3. When adherence to criteria in Land Use Plan Section 5 creates a conflict with public safety, the Town of Springdale Plan Commission shall give precedence to public safety.
4. Driveways shall meet the requirements of the Town of Springdale Driveway Ordinance.

(D) General Procedures

1. The creation of *lots* for residential development shall be by *certified survey map (CSM)* or by *plat*.
  - (a) All *lot(s)* on the *certified survey map* or *plat* shall be created in a manner that is consistent with Chapter 75, Dane County Code and the Town of Springdale Land Division and Subdivision Code.
  - (b) Developers of preliminary and final *plats* will be required to fulfill conditions of approval in a reasonable period of time. For each application a date will be specified by the Town Board.
2. Not more than four (4) *lots* shall be permitted in each five (5) year period by *certified survey map* [see note 4 in Land Use Plan Section 15(B)].
3. All applicable requirements of the state, the county, and the town shall apply.
4. The minimum *lot* size shall be one (1) acre, exclusive of road right-of-way.
5. Additional guidelines for the calculation of *density unit(s)* and for *notice documents*:
  - (a) A tracking sheet shall be maintained by the Town of Springdale Clerk for each *land division* or *subdivision* that is approved after the *Plan effective date*; the approved *concept plan* shall be filed with the tracking sheet.
  - (b) The *density unit(s)* shall run with the land, not with the *landowner*.

- (c) When *lot(s)* are created, a *notice document* shall specify the apportionment of the remaining *density unit(s)* [see note 5 in Land Use Plan Section 15(B)].
- (d) When *lot(s)* are sold without a *notice document* specifying the apportionment of *density units*, it shall be assumed that any *density unit* stays with the seller's property when consistent with the approved *concept plan* on file in the Town Hall.
- (e) When the *density unit(s)* are exhausted on a property, that fact shall be recorded by the Town of Springdale Clerk on the town's tracking sheet and by the *landowner* in the Dane County Register of Deeds as a *notice document* [see note 5 in Land Use Plan Section 15(B)].
- (f) All *lot line adjustments* in the town must be approved by the Town Board, taking into account the review and recommendation of the Town Plan Commission. The town requires notification of any *lot line adjustment* between adjacent *landowners*. [see *An Ordinance Regulating Lot Line Adjustments* adopted by the town on Oct. 17, 2016].

## SECTION 6

### RESIDENTIAL DENSITY OPTION 2

#### (A) Calculation of Density Units

1. *Contiguous* acres owned shall be determined on the *Plan effective date and be based on GIS Data* [see note 1 in Land Use Plan Section 15(C)].
2. One new (1) *lot* for residential use may be created for each seventeen (17) *contiguous* acres owned. See Table 1 for calculations of *density unit(s)* [see note 2 in Land Use Plan Section 15(C)].
3. An *existing dwelling unit* on the *Plan effective date* shall not affect the number of new *lots* which can be created as calculated from Table 1 “Quick Guide to Town of Springdale Land Use Options.”
4. For *contiguous* acres of at least fourteen (14) acres and less than seventeen (17) acres in size on the *Plan effective date*, one (1) new *lot for residential use* shall be allowed [see notes 3 and 4 in Land Use Plan Section 15(C)].

#### (B) Land Division(s) and Building Envelope(s) for Residential Use

1. Prior to the submission of an application for the approval of a *certified survey map*, the *landowner* shall submit a *concept plan* to the Town of Springdale Plan Commission for the approval of the location and suitability of the *development area(s)*, *building envelope(s)*, and *proposed lot(s)*.
2. When considering requests for *land division*, the Town of Springdale Plan Commission shall take into account prior conveyances of land designated as *development area(s)* in a *concept plan*.
  - (a) If all or part of the approved *development area(s)* is sold by a landowner, before the *lot(s)* are created by *certified survey map*, the Town of Springdale Plan Commission is not compelled to approve new *development area(s)*.
3. Lot lines shall be located and lot sizes shall be configured to best satisfy the following:

- (a) *Lot* lines shall be located so as to minimize the breakup of *contiguous* tracts of *agricultural lands*. Similarly, *lots* shall be sized to minimize the breakup of *contiguous* tracts of *agricultural lands*. To the extent possible, *lot* lines shall be located to follow previously existing natural or man-made boundaries, such as roads, fence rows, woods, waterways, streams, or similar boundaries. If *lot* lines must cross agricultural fields because other boundaries are not possible, it is desirable to locate them in such a way so as to maintain the maximum size agricultural fields in one *contiguous* parcel.

4. Building envelope(s) shall be located to best satisfy the following:

- (a) The location of the *building envelope(s)* shall demonstrate that the disturbance of *agricultural land* has been minimized.
  - (1) If *building envelope(s)* must be located on *agricultural land* because other locations are not possible, it is desirable to mitigate their impact by: clustering them, locating them near the edges of agricultural fields, and/or using the least productive soil as determined by soil types.
- (b) The location of the *building envelope(s)* shall demonstrate that the impact on the town's *rural character* has been minimized.
  - (1) *Clustering* is desirable and may be required.
  - (2) *Strip development* shall be avoided whenever possible. If several *building envelope(s)* must be located along the roadway, it is desirable to mitigate their impact by requiring: *clustering*, *screening*, shared driveways, and/or varying the driveway lengths, *lot* sizes, and setbacks.
  - (3) *Building envelope(s)* shall be designed to minimize a building's visual impact when viewed from public roads, the Military Ridge Bike Trail, and from the surrounding countryside. On properties with prominent, exposed hill tops or ridges, it is desirable for roof tops not to extend above the hill top or ridgeline, and *screenings* may be required to minimize the visual impact of rooftops extending above the hilltops or ridgelines. [see note 9 in Land Use Plan Section 15(C)].

- (4) The proximity of environmentally sensitive areas and culturally significant sites on the property or on adjacent/nearby properties shall be considered in the location of *building envelope(s)* within a property.
- (5) *Screenings* may be required to mitigate the impact of residential development and may consist of either a buffer of natural vegetation left in place for this purpose during site development or landscaping and planting to achieve the same result. The type of *screening* most suitable to the site shall be suggested by the landowner and shall require approval by the Town of Springdale Plan Commission. When such *screenings* are required, a letter of credit or other financial instrument acceptable to the Town Board shall be required from the *landowner* in an amount adequate to cover the costs.
- (c) When adherence to criteria in Land Use Plan Section 6 creates a conflict with public safety, then the Town of Springdale Plan Commission shall give precedence to public safety.
- (d) All criteria in Land Use Plan Section 6 shall apply whenever possible.
- (e) Any changes in the location of a *building envelope(s)* as defined on the *concept plan* shall require a public hearing by the Town of Springdale Plan Commission and approval by the Town of Springdale Town Board. [see note 8 in Land Use Plan Section 15(C)].
- (f) The largest *building envelope(s)* that can meet the criteria in Land Use Plan Section 6 shall be defined on the *concept plan*.
- (g) Any changes in the *concept plan* shall require approval of the Town of Springdale Plan Commission.

(C) Residential Driveways

1. Residential driveways shall be sited and constructed in a manner which best minimizes their impact on *agricultural land*.
2. Residential driveways shall be sited and constructed in a manner which best minimizes their impact on the town's *rural character*.



3. Up to three (3) *single family detached dwelling units* may share one (1) driveway, or one (1) *single family detached dwelling unit* and one (1) *duplex dwelling unit* may share one (1) driveway [see note 5 in Land Use Plan Section 15(C)].
4. When adherence to the criteria in Land Use Plan Section 6 creates a conflict with public safety, the Town of Springdale Plan Commission shall give precedence to public safety.
5. Driveways shall meet the requirements of the Town of Springdale Driveway Ordinance.

(D) General Procedures

1. The creation of *lots* for residential development shall be by *certified survey map (CSM)*.
  - (a) All *lot(s)* on the *certified survey map* shall be created in a manner that is consistent with the Chapter 75, Dane County Code and the Town of Springdale Land Division and Subdivision Code.
2. Not more than four (4) *lots* shall be permitted in each five (5) year period by *certified survey map* [see note 6 in Land Use Plan Section 15(C)].
3. All applicable requirements of the state, the county, and the town shall apply.
4. The minimum *lot* size shall be one (1) acre, exclusive of road right-of-way.
5. Additional guidelines for the calculation of *density unit(s)* and for *notice documents*:
  - (a) A tracking sheet shall be maintained by the Town of Springdale Clerk for each *land division* that is approved after the *Plan effective date*; the approved *concept plan* shall be filed with the tracking sheet.
  - (b) The *density unit(s)* shall run with the land, not with the *landowner*.
  - (c) When *lot(s)* are created, a *notice document* shall specify the apportionment of the remaining *density unit(s)* [see note 7 in Land Use Plan Section 15(C)].

- (d) When *lot(s)* are sold without a *notice document* specifying the apportionment of *density units*, it shall be assumed that any *density unit* stays with the seller's property when consistent with the approved *concept plan* on file in the Town Hall.
- (e) When the *density unit(s)* are exhausted on a property, that shall be recorded by the Town of Springdale Clerk on the town's tracking sheet and by the *landowner* in the Dane County Register of Deeds as a *notice document* [see note 7 in Land Use Plan Section 15(C)].
- (f) All *lot line adjustments* in the town must be approved by the Town Board, taking into account the review and recommendation of the Town Plan Commission. The town requires notification of any *lot line adjustment* between adjacent *landowners*. [see *An Ordinance Regulating Lot Line Adjustments* adopted by the town on Oct. 17, 2016].

## SECTION 7

### RESIDENTIAL DENSITY OPTION 3

#### (A) Calculation of Density Unit(s)

1. *Contiguous* acres owned shall be determined on the *Plan effective date* and based on *GIS* Data [see note 1 in Land Use Plan Section 15(D)].
2. One new *lot* for residential use may be created for each fourteen (14) *contiguous* acres owned. See Table 1 for calculations of *density unit(s)* [see note 2 in Land Use Plan Section 15(D)].
3. An *existing dwelling unit* on the *Plan effective date* shall not affect the number of new *lots* which can be created as calculated from Table 1 “Quick Guide to Town of Springdale Land Use Options”.
4. A minimum of seventy (70) *contiguous* acres shall be required [see note 3 in Land Use Plan Section 15(D)].

#### (B) Building Envelope(s) for Residential Use

1. Prior to the submission of an application for the approval of a *plat*, the landowner shall submit a concept plan to the Town of Springdale Plan Commission for the approval of the location and suitability of the development area(s), building envelope(s,) and proposed lot(s).
2. When considering requests for *subdivision*, the Town of Springdale Plan Commission shall take into account prior conveyances of land designated as *development area(s)* in a *concept plan*.
  - (a) If all or part of the approved *development area(s)* is sold by a landowner, before the *lot(s)* are created by *plat*, the Town of Springdale Plan Commission is not compelled to approve new *development area(s)*.

#### (C) Clustering

1. Residential development shall be clustered on twenty-five (25) percent of the *contiguous* acres owned [see note 4 in Land Use Plan Section 15(D)].

2. Seventy-five (75) percent of the property shall have a *deed restriction* to maintain it as *contiguous* agricultural and/or open space [see note 5 in Land Use Plan Section 15(D)].
  - (a) The seventy-five (75) percent deed restricted land shall be one *contiguous* area whenever possible; shall include the best *agricultural land* and/or environmentally sensitive areas; may include *buildings* for *agricultural uses*; may be included with the *lot(s)* and may be sold. With *residential use* clustered on twenty-five (25) percent of the *contiguous* property, quarries, *intensive livestock operations*, or uses inconsistent with the goals and policies of this Land Use Plan shall not qualify as agricultural and/or open space (see definition of *Agricultural use* and *Intensive livestock operations*, Section 2, Definitions).
  - (b) The *existing dwelling unit* or one of the permitted *lot(s)* may be associated with the seventy- five (75) percent area.
  - (c) If a *dwelling unit* does not exist on a property larger than seventy (70) acres on the *Plan effective date*, then one new *dwelling unit* may be associated with the seventy-five (75) percent area and shall not be counted in the calculation of *density unit(s)*.

(D) Residential Driveways

1. Residential driveways shall be sited and constructed in a manner which best minimizes their impact on *agricultural land*.
2. Residential driveways shall be sited and constructed in a manner which best minimizes their impact on the town's *rural character*.
3. Up to three (3) *single family detached dwelling units* may share one (1) driveway, or one (1) *single family detached dwelling unit* and one(1) *duplex dwelling unit* may share one (1) driveway [see note 6 in Land Use Plan Section 15(D)].
4. When adherence to criteria in Land Use Plan Section 7 creates a conflict with public safety, the Town of Springdale Plan Commission shall give precedence to public safety.
5. Driveways shall meet the requirements of the Town of Springdale Driveway Ordinance.

(E) General Procedures

1. *Land division* shall be by *subdivision plat*.
  - (a) All *lot(s)* on the *subdivision plat* shall be created in a manner that is consistent with Chapter 75, Dane County Code and the Town of Springdale Land Division and Subdivision Code.
  - (b) Developers of preliminary and final *plats* will be required to fulfill conditions of approval in a reasonable period of time. For each application a date will be specified by the Town Board.
2. All applicable requirements of the state, the county, and the town shall apply.
3. The minimum *lot* size shall be one (1) acre.
4. Additional guidelines for the calculation of *density unit(s)* and for *notice documents*:
  - (a) A tracking sheet shall be maintained by the Town of Springdale Clerk for each *subdivision* that is approved after the *Plan effective date*; the approved *concept plan* shall be filed with the tracking sheet.
  - (b) The *density unit(s)* shall run with the land, not with the *landowner*.
  - (c) When *lot(s)* are created, a *notice document* shall specify the apportionment of the remaining *density unit(s)* [see note 7 in Land Use Plan Section 15(D)].
  - (d) When *lot(s)* are sold without a *notice document* specifying the apportionment of *density units*, it shall be assumed that any *density unit* stays with the seller's property when consistent with the approved *concept plan* on file in the Town Hall.
  - (e) When the *density unit(s)* are exhausted on a property, it shall be recorded by the Town of Springdale Clerk on the town's tracking sheet and by the *landowner* in the Dane County Register of Deeds as a *notice document* [see note 7 in Land Use Plan Section 15(D)].

- (f) All *lot line adjustments* in the town must be approved by the Town Board, taking into account the review and recommendation of the Town Plan Commission. The town requires notification of any *lot line adjustment* between adjacent *landowners*. [see *An Ordinance Regulating Lot Line Adjustments* adopted by the town on Oct. 17, 2016].

## SECTION 8

### AGRICULTURAL USES

- (A) Farming in the Town of Springdale has undergone a transition away from family-owned dairy operations to increased cash crop production, and alternative *agricultural uses*. *Agricultural land* is an irreplaceable natural resource to be protected. The continuation of farming opportunities for future generations requires availability of tillable land. Traditional and alternative agriculture as an economic activity and way of life for farm operators shall be encouraged.
1. Large *contiguous* areas of *agricultural land* shall be protected.
  2. The town has the following Right to Farm policy:
    - (a) Residents in the Town of Springdale should be aware that they may be subject to inconveniences or discomforts arising from 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 aircraft) during any 24-hour period, 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 a priority and favored use 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.
  3. Farm operations are encouraged to have a Conservation Plan approved by the Dane County Land Conservation Department. Areas with high densities of livestock are encouraged to have a Manure Management Plan approved by the Dane County Environmental Health Division. (Livestock use must comply with Chapter NR 151, Subchapter II, 3967 Wisconsin Administrative Code.) Any agricultural *buildings* exceeding twenty-thousand (20,000) square feet in area are required to have a Stormwater Plan in compliance with Dane County Code.
  4. Residents in the Town of Springdale should be aware that because the Plan supports agricultural uses within the town, the requirements of WI Statute

Chapter 90 shall apply, setting forth the general rules regarding fences in agricultural areas of Wisconsin.

- (B) To support agricultural uses in the Town of Springdale, the Plan supports the permitted agricultural uses in the following zoning districts: Rural Residential (RR-1, RR-2, RR-4), Rural Mixed-Use (RM-8, RM-16), Agricultural Transition - Business (AT-B), Agricultural Transition (AT-35), Utility Transportation and Right-of-Way (UTR), Natural Resource - Conservation (NR-C), and Recreational (RE) [see notes 1-3 in Land Use Plan Section 15(E)].
- (C) The town shall consider supporting rezoning requests for the Agricultural Transition District (AT-35) for the following uses that are permitted or conditional uses and that meet the requirements of this Land Use Plan.

1. Permitted uses

- (a) Agricultural Uses.
- (b) Agricultural Accessory Uses, except those uses listed as conditional uses in below, and subject to the following limitations and standards.

(1) Any residence lawfully existing as of February 20,2010, provided all of the following criteria are met: a. the use remains residential, b. the structure complies with all building height, setback, side yard and rear yard standards of this ordinance; and c. for replacement residences, the structure must be located within 100 feet of the original residence, unless site-specific limitations or town residential siting standards in town plans adopted by the county board require a greater distance. Proposals for a replacement residence that would exceed the 100 foot limitation must be approved by the relevant town board and county zoning committee.

(2) Residential accessory buildings, home occupations, foster care for less than 5 children community living arrangements for less than 9 people or incidental room rental associated with either: a. an existing residence permitted under 1. above, or b. a farm residence approved by conditional use permit.

(3) Rental of existing or secondary residences located on a farm, but no longer utilized in the operation of the farm.



(4) Agricultural entertainment activities or special events under 10 days per calendar year in the aggregate, including incidental preparation and sale of beverages and food.

(5) Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities occurring on no more than ten days in a calendar year.

(6) The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in accessory farm buildings existing as of January 1, 2010. The storage of a dealer's inventory or the construction of any new buildings for storage is prohibited.

(7) Sales of agricultural products produced on the farm.

(8) Large animal boarding.

(c) Undeveloped natural resource and open space areas.

(d) Utility services associated with, and accessory to, a permitted or conditional use.

(e) A transportation, utility, communication, or other use that is: required under state or federal law to be located in a specific place, or; is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

## 2. Conditional uses.

(a) Agricultural Accessory Uses: In addition to other requirements of this ordinance, the 3 following uses must meet the definition of an agricultural accessory use under s. 3734 10.004(12). 3735

(1) Agricultural entertainment activities or special events occurring 10 days or more per calendar year, in aggregate.

(2) Airports, landing strips or heliports for private aircraft owned by the owner or operator of a farm.

(3) Attached accessory dwelling units associated with a farm residence.

- (4) Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities, occurring on more than ten days in a calendar year.
- (5) Farm Residence.
- (6) Limited Farm Business.
- (7) Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.
- (8) Secondary farm residence.
- (b) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
- (c) Non-metallic mineral extraction operations that comply with s. 91.46(6), Wis. Stats., s. 10.103(15) and Chapter 74.
- (d) Asphalt plants or ready-mix concrete plants, that comply with s. 91.46(5), Wis. Stats., for production of material to be used in construction or maintenance of public roads, to be limited in time to project duration.
- (e) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.

## SECTION 9

### RESIDENTIAL USES

- (A) The policies affecting development for residential uses are intended to minimize the impact of *residences* on the rural qualities of the Town as defined in Goals (A), (B), and (C) of this Land Use Plan. As stated in Goal (E) of this Land Use Plan, the town encourages safe, convenient, and environmentally sound housing that blends with the natural landscape.
1. Individuals intending to apply for (a) a change to zoning district boundaries or (b) a conditional use permit are requested and encouraged to meet with the Town of Springdale Plan Commission before formally applying to Dane County. The purpose of the pre-application meeting is to provide the Town with development information so that the Town shall be in a position to evaluate formal applications to Dane County for a zoning change or conditional use permit in an efficient and timely manner. The Town of Springdale Plan Commission would not make a final determination on any issue at the pre-application meeting.
  2. The Town shall support *single family detached dwelling units* in the zoning districts Single-Family Residential (SFR-08, SFR-1, SFR-2), Hamlet Residential (HAM-R), Hamlet-Mixed Use (HAM-M), Rural Residential (RR-1, RR-2, RR-4 and RR-8), and Rural Mixed-Use (RM-8 and RM-16) [see notes 1-4 in Land Use Plan Section 15(F)].
    - (a) The town shall consider supporting rezoning requests for the SFR-08, SFR-1, and SFR-2 Single Family Residential [see note 1 in Land Use Plan Section 15(F)] for the following uses that are permitted uses and that meet the requirements of this Land Use Plan.
      - (1) Undeveloped natural resource and open space areas
      - (2) Agricultural uses lawfully existing as of December 31, 2015. Livestock uses lawfully existing as of December 31, 2015, shall be considered a nonconforming use under s. 10.102(7)
      - (3) Single family residential
      - (4) Accessory buildings (up to 12 feet in height in SFR-08 and up to 16 feet in height in SFR-1 and SFR-2) and in accordance with the Town of Springdale Accessory Building Ordinance adopted May 21, 2018.

- (5) Domestic fowl and beekeeping
- (6) Foster homes for less than five children
- (7) Community living arrangements for fewer than 9 persons
- (8) Home occupations
- (9) Incidental room rental
- (10) Utility services associated with, and accessory to a permitted or conditional use.
- (11) A transportation, utility, communication, or other use that is: required under state or federal law to be located in a specific place, or; is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

(b) The town shall consider supporting rezoning requests for the SFR-08, SFR-1, and SFR-2 Single Family Residential [see note 1 in Land Use Plan Section 15(F)] for the following uses that are conditional uses and that meet the requirements of this Land Use Plan.

- (1) Accessory buildings between 12 and 16 feet in height and in accordance with the Town of Springdale Accessory Building Ordinance adopted May 21, 2018. (Only in SFR- 08).
- (2) Attached accessory dwelling units
- (3) Community living arrangements for nine (9) or more persons
- (4) Day Care Centers
- (5) Governmental, institutional, religious, or nonprofit community uses
- (6) Transient or tourist lodging
- (7) Transportation, communications, pipelines, electric transmission, utility, or drainage uses, not listed as a permitted use above.

(c) The town shall consider supporting rezoning requests for the Hamlet Residential District (HAM-R) and Hamlet - Mixed Use District (HAM-M) [see note 2 in Land Use Plan Section 15(F)] for the following uses that are permitted uses and that meet the requirements of this Land Use Plan.

- (1) Undeveloped natural resource and open space areas
- (2) Single family residential
- (3) Attached accessory dwelling units
- (4) Accessory buildings up to 12 feet in height in accordance with the Town of Springdale Accessory Building Ordinance adopted May 21, 2018.

- (5) Foster homes for less than five children licensed under s. 48.62, Wis. Stats.
  - (6) Home occupations
  - (7) Indoor sales (HAM-M only)
  - (8) Domestic fowl and beekeeping (HAM-R only)
  - (9) Incidental room rental
  - (10) Community living arrangements for less than nine persons
  - (11) Personal or Professional Services (HAM-M only)
  - (12) Transient or Tourist lodging (HAM-M only)
  - (13) Active or passive recreational uses (HAM-M only)
  - (14) Governmental, institutional, religious, or nonprofit community uses
  - (15) Utility services associated with, and accessory to a permitted or conditional use
  - (16) A transportation, utility, communication, or other use that is: required under state or federal law to be located in a specific place, or; is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (d) The town shall consider supporting rezoning requests for the Hamlet Residential District (HAM-R) and Hamlet - Mixed Use District (HAM-M) [see note 2 in Land Use Plan Section 15(F)] for the following uses that are conditional uses and that meet the requirements of this Land Use Plan.
- (1) Day care centers
  - (2) Community living arrangements for more than nine persons
  - (3) Institutional residential
  - (4) Automotive services (HAM-M only)
  - (5) Indoor entertainment or assembly (HAM-M only)
  - (6) Accessory buildings between 12 and 16 feet in height
  - (7) Limited family businesses
  - (8) Reduction of side lot setback to less than 10 feet total
  - (9) Transportation, communications, pipelines, electric transmission, utility, or drainage uses, not listed as a permitted use above
- (e) The town shall consider supporting rezoning requests for the Rural Residential District (RR-1, RR-2, RR-4 and RR-8) [see note 3 in Land Use Plan Section 15(F)] for the following uses that are permitted uses and that meet the requirements of this Land Use Plan.
- (1) Undeveloped natural resource and open space areas.

- (2) Small-scale farming subject to fence law in Wisconsin Statute Chapter 90
  - (3) Single family residential
  - (4) Accessory buildings in accordance with the Town of Springdale Accessory Building Ordinance adopted May 21, 2018.
  - (5) Home occupations
  - (6) Incidental room rental
  - (7) Foster homes for less than five children
  - (8) Community living arrangements for fewer than 9 persons.
  - (9) Utility services associated with, and accessory to a permitted or conditional use
  - (10) A transportation, utility, communication, or other use that is: required under state or federal law to be located in a specific place, or; is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (f) The town shall consider supporting rezoning requests for the Rural Residential District (RR-1, RR-2, RR-4 and RR-8) [see note 3 in Land Use Plan Section 15(F)] for the following uses that are conditional uses and that meet the requirements of this Land Use Plan.
- (1) Attached accessory dwelling units
  - (2) Animal use exceeding one animal unit per acre (RR-4, and RR-8 only)
  - (3) Limited family business
  - (4) Day care centers
  - (5) Community living arrangements for nine (9) or more persons
  - (6) Governmental, institutional, religious, or nonprofit community uses
  - (7) Transient or Tourist Lodging
  - (8) Transportation, communications, pipelines, electric transmission, utility, or drainage uses, not listed as a permitted use above
- (g) The town shall consider supporting rezoning requests for the Rural Mixed-Use Districts (RM-8, RM-16) [see note 4 in Land Use Plan Section 15(F)] for the following uses that are permitted uses and that meet the requirements of this Land Use Plan.
- (1) Agricultural uses. Livestock use must comply with Chapter NR 151, Subchapter II, 3967 Wisconsin Administrative Code and subject to fence law in Wisconsin Statute Chapter 90.

- (2) Agricultural Accessory Uses, except those uses listed as conditional uses below, and subject to the following limitations and standards:
    - a. Agricultural entertainment activities or special events under 10 days per calendar year in aggregate, including incidental preparation and sale of beverages and food.
    - b. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities occurring on no more than five days in a calendar year.
    - c. The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in accessory farm buildings existing as of January 1, 2010. The storage of a dealer's inventory or the construction of any new buildings for storage is prohibited.
  - (3) Undeveloped natural resources and open space areas
  - (4) Single family residential
  - (5) Accessory buildings in accordance with the Town of Springdale Accessory Building Ordinance adopted May 21, 2018.
  - (6) Incidental room rental
  - (7) Foster homes for less than five children
  - (8) Community living arrangements for fewer than 9 persons
  - (9) Home occupations
  - (10) Utility services associated with, and accessory to a permitted or conditional use
  - (11) A transportation, utility, communication, or other use that is: required under state or federal law to be located in a specific place, or; is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (h) The town shall consider supporting rezoning requests for the Rural Mixed-Use Districts (RM-8, RM-16) [see note 4 in Land Use Plan Section 15(F)] for the following uses that are conditional uses and that meet the requirements of this Land Use Plan.
- (1) Agricultural entertainment activities or special events occurring 10 days or more per calendar year, in aggregate.
  - (2) Attached accessory dwelling units
  - (3) Community living arrangements for 9 or more persons

- (4) Domestic pet animal boarding
- (5) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources
- (6) Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities, occurring on more than five days in a calendar year
- (7) Governmental, institutional, religious, or nonprofit community uses
- (8) Large animal boarding
- (9) Limited family business
- (10) Migrant farm labor camps certified under s. 103.92, Wis. Stats. Mineral Extraction (RM-16 only)
- (11) Recreational racetracks
- (12) Sanitary facilities in agricultural accessory buildings
- (13) Temporary asphalt or concrete production. (RM-16 only)
- (14) Tourist or transient lodging
- (15) Transportation, communications, pipelines, electric transmission, utility, or drainage uses, not listed as a permitted use above
- (16) Veterinary clinics

- 3. Higher density residential development impacts negatively on the town's capacity to provide infrastructure and services.
  - (a) Except to allow condominium development consisting of single family detached *dwelling units* (See Sec. 8.4.) the Town shall minimize population density by not supporting rezoning requests for the Multi Family Residential (MFR-08) District (see Dane County Code, Chapter 10.), without respect to whether the form of ownership is condominium or otherwise. This provision shall be construed and applied so as: (1) not to alter the rights of location of community living arrangements; and (2) not to discriminate against low-income housing.
  - (b) The Town shall support rezoning requests for the Two Family Residential (TFR-08) District under which *duplex dwelling units* are a permitted use (see Dane County Code, Chapter 10,) for up to twenty (20) percent of the *lot(s)* created under residential density options 1, 2, or 3 in the town.
    - (1) When the calculation of *density units* consists of less than five new *lots* only one new *lot* may be for a *duplex dwelling unit*.



- (2) When the calculation of *density units* consists of five or more new *lots*, then up to twenty (20) percent of the new *lots* may be for a *duplex dwelling unit*.
- (3) Creating a new *lot* for a *duplex dwelling unit* shall be counted as two *density units*.
- (4) For this purpose, the *density unit* shall be considered the same as required by Option 2. {See “Quick Guide to Town of Springdale Land Use Options”}.
- (5) Rezoning of a *lot* that was created for a single family detached *dwelling unit* or converting of a single family detached *dwelling unit* (whether or not it was existing on the *Plan effective date*) into a *duplex dwelling unit* shall require one additional *density unit*.
- (6) Reverting or converting a *duplex dwelling unit* into a single family detached *dwelling unit* shall not regain one *density unit*.
- (7) The town shall consider supporting rezoning requests for the Two Family Residential District (TFR-08) [see note 5 in Land Use Plan Section 15(F)] for the following uses that are permitted or conditional uses and that meet the requirements of this Land Use Plan.

- a. Permitted Uses

- i. Undeveloped natural resource and open space areas
- ii. Single family residential
- iii. Duplexes
- iv. Attached accessory dwelling units
- v. Accessory buildings up to 12 feet in height in accordance with the Town of Springdale Accessory Building Ordinance adopted May 21, 2018
- vi. Domestic fowl and beekeeping
- vii. Home occupations
- viii. Foster homes for less than five children
- ix. Community living arrangements for fewer than 9 persons
- x. Incidental room rental
- xi. Utility services associated with, and accessory to, a permitted or conditional use
- xii. A transportation, utility, communication, or other use that is: required under state or federal law to be located in a specific place, or; is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

- b. Conditional uses

- i. Accessory buildings between 12 and 16 feet in height in accordance with the Town of Springdale Accessory Building Ordinance adopted May 21, 2018
  - ii. Community living arrangements for nine (9) or more persons
  - iii. Day Care Centers
  - iv. Detached accessory dwelling units
  - v. Governmental, institutional, religious, or nonprofit community uses
  - vi. Transient or Tourist Lodging
  - vii. Transportation, communications, pipelines, electric transmission, utility, or drainage uses, not listed as a permitted use above
4. A condominium association/development shall include only *single family detached dwelling units* and parcels rezoned to Multi Family Residential (MFR-08) to accommodate this use shall be deed restricted to allow only single family detached *dwelling units*.
- (a) The town shall consider supporting rezoning requests for the Multi Family Residential District (MFR-08) [see note 6 in Land Use Plan Section 15(F)] for the following uses that are permitted or conditional uses and that meet the requirements of this Land Use Plan.
- (1) Permitted Uses
- a. Undeveloped natural resource and open space areas
  - b. Single family residential
  - c. Attached or detached accessory dwelling units
  - d. Condominiums (single family detached only)
  - e. Accessory buildings
  - f. Foster homes for less than five children
  - g. Community living arrangements for fewer than 9 persons
  - h. Incidental room rental
  - i. Home occupations
  - j. Utility services associated with, and accessory to a permitted or conditional use
  - k. A transportation, utility, communication, or other use that is: required under state or federal law to be located in a specific place, or; is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

- (2) Conditional uses:
    - a. Accessory buildings between 12 and 16 feet in height
    - b. Day Care Centers
    - c. Governmental, institutional, religious, or nonprofit community uses
    - d. Transportation, communications, pipelines, electric transmission, utility, or drainage uses, not listed as a permitted use above.
5. The town shall not support variances for new *residences* within the noise overlay zone (see Dane County Code, Chapter 10).
6. New outdoor lighting, installed pursuant to a *land division* request, shall be shielded to prevent glare into the night sky or direct beam illumination of neighboring *residences* and shall comply with this section of the Land Use Plan. All new lighting fixtures shall be full cut-off fixtures which prevent all upward transmission of light. All-night photo cell controlled lighting shall not be permitted, however, motion controlled and switch controlled security lights are acceptable. All new outdoor lighting shall be in compliance with applicable county and town ordinances.
7. New, permanent signs naming residential developments shall not be permitted and existing, permanent signs naming residential developments may be maintained but not substantially modified nor replaced after the date of adoption of this amendment, May 21, 2007.
8. The town shall review rezoning requests and conditional use permit requests in the residential zoning districts of the Dane County Code, Chapter 10, per both the Goals and Policies of this Land Use Plan, (see Section 3) and the requirements listed in Section 10 *Non-residential Uses*.

## SECTION 10

### NON-RESIDENTIAL USES

- (A) *Non-residential uses* may provide employment opportunities for individuals in the town and sometimes provide services that benefit some of the town's residents. The guidelines in this Land Use Plan are designed to promote rural *non-residential uses* primarily related to agriculture that do not impact negatively on the *rural character* of the town. Applicants for non-residential uses should recognize that rezoning or relocation of the business may be necessary if the business is expanded.
- (B) Home occupations and limited-family businesses as defined in the Dane County Code, Chapter 10, and *non-residential uses* existing in the town on the *Plan effective date* are governed by the existing zoning.
- (C) Individuals intending to apply for (a) a change to zoning district boundaries or (b) a conditional use permit are requested and encouraged to meet with the Town of Springdale Plan Commission before formally applying to Dane County. The purpose of the pre-application meeting is to provide the Town with development information so that the town shall be in a position to evaluate formal applications to Dane County for a zoning change or conditional use permit in an efficient and timely manner. The Town of Springdale Plan Commission would not make a final determination on any issue at the pre-application meeting.
- (D) Individuals intending to apply for (a) a change to zoning district boundaries or (b) a conditional use permit for *non-residential uses* that meet the requirements in this section of the Land Use Plan, but that are not included in Sections 10(F), 10(G), 10(H), or 10(I) of the Land Use Plan, may request an amendment to the Land Use Plan pursuant to Section 14(K) of the Land Use Plan.
- (E) The town shall consider supporting rezoning requests and conditional use permit requests for the kinds of *non-residential uses* specified in Sections 10(F), 10(G), 10(H), and 10(I) of the Land Use Plan in the Agricultural Transition Business District (AT-B), Limited Commercial District (LC), or Hamlet Mixed Use District (HAM-M) that meet the following requirements:
  - 1. The town shall consider the identified and potential impact of any proposed *non-residential use* on but not limited to: (a) neighboring farms and farmland, (b) neighboring *residences*, (c) natural environment, (d) property values, (e) traffic and parking, (f) the creation of noise, odor, and waste products,

- (g) aesthetics, (h) enjoyment of the land, (i) *rural character*; (j) existing or natural topography.
2. New agricultural and other *non-residential uses* shall be limited to those that do not detract from the natural resources and/or rural quality of life in the town.
  3. The *building envelope* shall be located on a *site plan*. The applicant shall draw the *site plan* on an aerial photograph, which can be provided by the town upon request. The *site plan* shall also show all existing and proposed *buildings*, parking areas, waste disposal areas, storage areas, and any existing and proposed fencing and *screenings*. See Dane County Chapter 10 10.270 for conditions applicable to all commercial zoning districts.
  4. Minimal productive *agricultural land* shall be used to accommodate the agricultural businesses. If the *building envelope* must be located on *agricultural land* because other locations are not possible, it is desirable to mitigate their impact by: clustering them, locating them near the edges of the agricultural fields, and/or using the least productive soil as determined by soil types.
  5. No productive *agricultural land* shall be used to accommodate the non-agricultural businesses.
  6. The location of the *building envelope* shall demonstrate that the impact on the town's *rural character* has been minimized. Clustering is desirable and may be required. The *building envelope* shall be designed to minimize a building's visual impact when viewed from public roads, the Military Ridge Bike Trail, and from the surrounding countryside. On properties with prominent, exposed hill tops or ridges, it is desirable for roof tops not to extend above the hilltop or ridge line, and *screenings* may be required to minimize the visual impact of rooftops extending above hilltops or ridgelines. [see note 7 in Land Use Plan Section 15(E)].
  7. Natural features, including but not limited to *wetlands* and woodlands and topography shall be protected. The proximity of environmentally sensitive areas and culturally significant sites shall be considered in the location of the *building envelope* within a property.
  8. All potential negative impacts, including, but not limited to, property values, storm water runoff, traffic and off-street parking, storage and/or disposal of

solid waste or hazardous materials, noise, and aesthetics of the land, shall be minimized.

9. *Strip development* shall be prohibited in order to prevent roads or highways from becoming lined with *non-residential uses*.
10. The town shall not support rezone requests for *non-residential uses* for lot(s) created by *subdivision plat* after the *Plan effective date*.
11. If a *non-residential use* is located within one-hundred (100) feet of an adjacent *dwelling unit* the side of the *non-residential use* facing the *residence* shall be screened by landscape screen or visual barrier (see Dane County Code, Chapter 10, for specifications of *screening*). The Town of Springdale Plan Commission shall require a letter of credit or other financial instrument covering the cost of such *screenings* acceptable to the Town Board when such *screenings* are required.
12. The minimum land area necessary shall be rezoned for *non-residential use*.
13. No new town roads shall be approved for non-residential use. If an existing town road requires improvements, the applicant must pay for such improvement or an agreement has to be reached between the applicant and the town (see Town of Springdale Driveway Ordinance).
14. Off-street parking shall be delineated on the *site plan*, in accordance with the provisions of the Dane County Code, Chapter 10. No parking or storage of vehicles is permitted within the street right-of-way. The projected traffic levels and types of vehicles proposed to service or use the *non-residential use* shall also be delineated.
15. Hours of operation shall be recommended by the Town of Springdale Plan Commission and approved by the Town of Springdale Town Board.
16. Outdoor lighting, except for required security lighting, shall be operational only during hours of operation. All lighting shall be shielded to prevent glare into the night sky or direct-beam illumination of neighboring *residences*. All new lighting fixtures shall be full cut-off fixtures which prevent all upward transmission of light. All night photo cell controlled lighting shall not be permitted, however, motion controlled and switch controlled security lights are acceptable. All outdoor lighting shall be in compliance with applicable county and town ordinance. (See applicable county and town ordinances).

17. A plan for storage and/or disposal of solid waste and hazardous materials used in the operation shall be submitted to the town.
  18. *Non-residential uses* shall satisfy the requirements of the Dane County Construction Site Erosion Control Ordinance. Storm water runoff from a *non-residential use* shall be no greater than that which existed prior to development.
  19. All applicable requirements of the National Fire Prevention Association and State of Wisconsin Division of Agriculture, Trade, and Consumer Protection codes shall be met.
  20. The town shall not support rezoning for *non-residential uses* requiring high amounts of water usage, large septic tanks, or fire protection provided by a public system with hydrants; those kinds of uses shall be directed to an urban service area outside of the town.
  21. Architectural review and approval by the Plan Commission shall be required to ensure that the exterior appearance, design, and character of the proposed improvements, including parking facilities and signs, will maintain the rural quality of life throughout the town (see Section 3, Goal and Policies G).
- (F) The Town shall consider supporting rezoning requests for the following kinds of non-residential uses that are permitted uses in the AT-B Agriculture Transition Business District [see note 1 in Land Use Plan Section 15(G)] that meet the requirements of this Land Use Plan in Section 10(E).
1. Agricultural uses.
  2. Agricultural Accessory Uses, except those uses listed as conditional uses, and subject to the limitations and standards below.
  3. Agricultural entertainment activities or special events under 10 days per calendar year in aggregate, including incidental preparation and sale of beverages and food.
  4. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities occurring on no more than five days in a calendar year.
  5. The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in accessory farm buildings existing as of January 1, 2010. The storage of a dealer's inventory or the construction of any new buildings for storage is prohibited.

6. Accessory structures, home occupations, foster care for less than 5 children, community living arrangements for less than 9 people, or incidental room rental associated with a farm residence approved by conditional use permit.
7. Agriculture-related uses, except uses listed as conditional uses, consistent with the purpose statement for the AT-B district.
8. Sales of agricultural products produced on the premises
9. Undeveloped natural resources and open space areas
10. Utility services associated with, and accessory to a permitted or conditional use
11. A transportation, utility, communication, or other use that is: 1. required under state or federal law to be located in a specific place, or; 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

(G) The Town shall consider supporting rezoning requests for the following kinds of non-residential uses that are conditional uses in the AT-B Agriculture Transition Business District that meet the requirements of this Land Use Plan in Section 10 E.

1. Agricultural Accessory Uses: In addition to other requirements of this ordinance, the following uses must meet the definition of an agricultural accessory use under s. 10.004(12).
  - (a) Agricultural entertainment activities or special events occurring 10 days or more per calendar year, in aggregate
  - (b) Airports, landing strips, or heliports for private aircraft owned by the owner or operator of the farm or agriculture-related use on the premises
  - (c) Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities, occurring on more than five days in a calendar year.
  - (d) Farm Residence, subject to s. 10.103(11)
  - (e) Limited farm business
  - (f) Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks
  - (g) Secondary farm residence, subject to s. 10.103(11)
2. Agriculture-related uses: In addition to the other requirements of this ordinance, the following uses must meet the definition of an agriculture-related use under s. 10.004(14).
  - (a) Colony house
  - (b) Commercial animal boarding for farm animals, and not including boarding for domestic pets
  - (c) Composting facility



- (d) Transportation, communications, pipelines, electric transmission, utility, or drainage uses, not listed as a permitted use above
  - (e) Non-metallic mineral extraction operations that comply with s. 91.46(6), Wis. Stats., s. 10.103(14) and Chapter 74. The application shall conform to the requirements of s. 10.103(14).
  - (f) Asphalt plants or ready-mix concrete plants that comply with s. 91.46(5), Wis. Stats., for production of material to be used in construction or maintenance of public roads, to be limited in time to project duration.
  - (g) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.
- (H) The town shall consider supporting rezoning requests only in Mt. Vernon for the HAM-M Hamlet Mixed Use District [see note 2 in Land Use Plan Section 15(G)]. (The town shall not support rezoning requests for HAM-M in any other places in the town.) Rezoning requests shall be considered for the following kinds of *non-residential uses*, which are permitted uses (see Dane County Code, Chapter 10,) and that meet the requirements of this Land Use Plan in Section 10(E) and the following additional requirements:
1. Because of limitations caused by private septic systems and the proximity of Mt. Vernon Creek, it is not desirable to encourage *non-residential uses* in Mt. Vernon. However, special provisions are created for retail outlets established for the purpose of providing services to the residents of Mt. Vernon. These shall be limited to *non-residential uses* meeting the following additional requirements:
    - (a) Interior space of less than 10,000 square feet in floor area.
    - (b) Five or fewer, full-time or equivalent, employees.
    - (c) Primary *non-residential uses* must provide service to the residents of Mt. Vernon, and must be achieved with minimal impacts on traffic, parking, and neighboring *residences*.
    - (d) Some retail service businesses that may meet these requirements and that are permitted uses in the HAM-M Hamlet Mixed Use District (see Dane County Code,) are: bakeries, barbershops, beauty shops, drugstores, grocery stores, hardware stores, and restaurants (not drive-thru).
    - (e) Other permitted uses in the HAM-M Hamlet Mixed Use District (see Dane County Code, Chapter 10,) that may meet these requirements are:

warehousing and storage incidental to permitted uses on the premises and woodworking shops.

- (f) Retail businesses providing minor motor vehicle services, defined as self-service or full-service fueling, topping off of motor vehicle fluids and tire pressure, windshield wiper replacement, and cleaning windshields and windows, that meet the following additional requirements which are intended to protect the streams, watershed, and private wells in Mt. Vernon:
  - (1) Fuel tanks shall contain double-walled fuel storage tanks, flexible double-walled piping, and electronic leak detection sensors due to the sensitive environmental location.
  - (2) Any needed collection facilities for used motor lubricants shall be located inside an all-weather *building* and accessed only by trained service personnel to prevent run-off.
  - (3) An action plan to manage any spill or inadvertent release shall be submitted to and approved by the town.
  
- (g) Architectural review and approval by the Plan Commission shall be required to insure that the exterior appearance, design, and character of the proposed improvements, including parking facilities and signs, will be consistent with the exterior appearance, design, and character of the *buildings* already constructed or in the course of construction in the historic hamlet of Mt. Vernon.

2. The Town shall consider supporting rezoning requests for the following kinds of non-residential uses that are permitted uses in the HAM-M Hamlet Mixed Use District that meet the requirements of this Land Use Plan in Section 10 E.

- (a) Undeveloped natural resource and open space areas
- (b) Single family residential
- (c) Attached accessory dwelling units
- (d) Accessory buildings
- (e) Home occupations
- (f) Foster homes for less than five children licensed under s. 48.62, Wis. Stats.
- (g) Indoor Sales
- (h) Incidental room rental
- (i) Community living arrangements for less than nine persons
- (j) Personal or Professional Service
- (k) Transient or Tourist Lodging
- (l) Active or passive recreational uses
- (m) Governmental, institutional, religious, or nonprofit community uses

- (n) Utility services associated with, and accessory to a permitted or conditional use
  - (o) A transportation, utility, communication, or other use that is: 1. required under state or federal law to be located in a specific place, or; 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
3. The Town shall consider supporting rezoning requests for the following kinds of non-residential uses that are conditional uses in the HAM-M Hamlet Mixed Use District that meet the requirements of this Land Use Plan in Section 10 E.
- (a) Day care centers
  - (b) Community living arrangements for nine (9) or more persons
  - (c) Institutional Residential
  - (d) Automotive services
  - (e) Indoor entertainment or assembly
  - (f) Limited family business
  - (g) Accessory buildings between 12 and 16 feet in height
  - (h) Reduction of side lot setback to less than 10 feet total
  - (j) Transportation, communications, pipelines, electric transmission, utility, or drainage uses, not listed as a permitted use above
- (I) The town shall consider supporting rezoning requests for the LC - Limited Commercial District [see note-3 in Land Use Plan Section 15(G)] for the following kinds of *non-residential uses*, which are permitted uses (see Dane County Code, Chapter 10,) and that meet the requirements in this Land Use Plan in Section 10(E) and the following additional requirements:
- 1. General, mechanical, and landscape contracting businesses and *buildings* used in connection with such activity.
  - 2. Storage of construction equipment necessary for the operation of a general, mechanical, or landscape contracting business; a limited amount of equipment can be stored in a neat and orderly fashion within the public view.
  - 3. Temporary outside storage of materials or supplies used by a contractor in fulfilling his or her contracts and not offered for sale to a user or consumer.
  - 4. On-site burning shall be prohibited.
  - 5. A single family *residence* for an *owner* of the business or a caretaker.

6. The Town shall consider supporting rezoning requests for the following kinds of non-residential uses that are permitted uses in the LC Limited Commercial District that meet the requirements of this Land Use Plan in Section 10 E.
  - (a) Agricultural accessory uses. Livestock is not permitted.
  - (b) Agricultural uses. Livestock is not permitted.
  - (c) Contractor, landscaping or building trade operations
  - (d) Indoor storage and repair
  - (e) Incidental Parking for employees, consistent with s. 10.102(8)
  - (f) Office uses, the number on site employees is limited to no more than six (6).
  - (g) Storage of no more than 12 total vehicles and pieces of construction equipment
  - (h) A transportation, utility, communication, or other use that is: 1. required under state or federal law to be located in a specific place, or; 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
  - (i) Undeveloped natural resource and open space areas
  - (j) Utility services associated with, and accessory to a permitted or conditional use
  
7. The Town shall consider supporting rezoning requests for the following kinds of non-residential uses that are conditional uses in the LC Limited Commercial District that meet the requirements of this Land Use Plan in Section 10 E.
  - (a) Caretaker's residence
  - (b) Communication towers
  - (c) Governmental, institutional, religious, or nonprofit community uses
  - (d) Outdoor Storage
  - (e) Storage of more than 12 total vehicles and pieces of construction equipment
  - (f) Transportation, communications, pipelines, electric transmission, utility, or drainage uses
  
- (J) Because heavy commercial and industrial uses are incompatible with the goals and policies of this Land Use Plan, the Town of Springdale shall not support rezoning to the GC General Commercial [see note 4 in Land Use Plan Section 15(G)], HC Heavy Commercial District, RI Rural Industrial and MI Manufacturing Industrial District (see Dane County Code, Chapter 10).

- (K) A *lot(s)* created for *non-residential uses* under Section 10 of this Land Use Plan shall follow these requirements:
1. Calculation of Density Units in Residential Density Option 1, for the *contiguous* acres owned on the *Plan effective date*.
    - (a) Contiguous acres owned shall be determined on the Plan effective date and be based on GIS Data [see note 1 in Land Use Plan Section 15(B)].
    - (b) One *lot* for *non-residential use* may be created for each twenty-five (25) *contiguous* acres owned. See Table 1 for calculations of *density unit(s)* [see note 2 in Land Use Plan Section 15(B)].
    - (c) An *existing dwelling unit* on the *Plan effective date* shall not affect the number of new *lots* which can be created as calculated from Table 1 “Quick Guide to Town of Springdale Land Use Options.”
  2. The requirements for (B) Land Division and Building Envelope(s) in Residential Option 2, for the *contiguous* acres owned on the *Plan effective date*.
    - (a) Prior to the submission of an application for the approval of a *certified survey map*, the *landowner* shall submit a *concept plan* to the Town of Springdale Plan Commission for the approval of the location and suitability of the *development area(s)*, *building envelope(s)*, and proposed *lot(s)*.
    - (b) When considering requests for *land division*, the Town of Springdale Plan Commission shall take into account prior conveyances of land designated as *development area(s)* in a *concept plan*.
      - (i) If all or part of the approved *development area(s)* is sold by a landowner, before the *lot(s)* are created by *certified survey map*, the Town of Springdale Plan Commission is not compelled to approve new *development area(s)*.
    - (c) Lot lines shall be located and lot sizes shall be configured to best satisfy the following:
      - (i) *Lot* lines shall be located so as to minimize the breakup of *contiguous* tracts of *agricultural lands*. Similarly, *lots* shall be sized to minimize the breakup of *contiguous* tracts of *agricultural lands*. To the extent possible, *lot* lines shall be located to follow

previously existing natural or man-made boundaries, such as roads, fence rows, woods, waterways, streams, or similar boundaries. If *lot* lines must cross agricultural fields because other boundaries are not possible, it is desirable to locate them in such a way so as to maintain the maximum size agricultural fields in one *contiguous* parcel.

- (d) When adherence to criteria in Land Use Plan Section 10 creates a conflict with public safety, then the Town of Springdale Plan Commission shall give precedence to public safety.
  - (e) All criteria in Land Use Plan Section 10 shall apply whenever possible.
  - (f) Any changes in the location of a *building envelope(s)* as defined on the *concept plan* shall require a public hearing by the Town of Springdale Plan Commission and approval by the Town of Springdale Town Board. [see note 6 in Land Use Plan Section 15(E)].
  - (g) The largest *building envelope(s)* that can meet the criteria in Land Use Plan Section 10 shall be defined on the *concept plan*.
  - (h) Any changes in the *concept plan* shall require approval of the Town of Springdale Plan Commission.
3. The requirements for (C) Driveways in Residential Option 2.
- (a) All driveways shall be sited and constructed in a manner which best minimizes their impact on *agricultural land*.
  - (b) All driveways shall be sited and constructed in a manner which best minimizes their impact on the town's *rural character*.
  - (c) Up to three (3) properties may share one (1) driveway. A duplex is considered two (2) properties for the purposes of a shared driveway. [See note 5 in Land Use Plan Section 15(C)].
  - (d) When adherence to the criteria in Land Use Plan Section 10 creates a conflict with public safety, the Town of Springdale Plan Commission shall give precedence to public safety.
  - (e) Driveways shall meet the requirements of the Town of Springdale Driveway Ordinance.

4. General Procedures in Residential Density Option 2.
  - (a) The creation of *lots* for *non-residential uses* shall be by *certified survey map (CSM)*.
  - (i) All *lot(s)* on the *certified survey map* shall be created in a manner that is consistent with the Chapter 75, Dane County Code and the Town of Springdale Land Division and Subdivision Code.
  - (b) Not more than four (4) *lots* shall be permitted in each five (5) year period by *certified survey map* [see note 6 in Land Use Plan Section 15(C)].
  - (c) All applicable requirements of the state, the county, and the town shall apply.
  - (d) The minimum *lot* size shall be one (1) acre, exclusive of road right-of-way.
5. Additional guidelines for the calculation of *density unit(s)* and for *notice documents*:
  - (a) A tracking sheet shall be maintained by the Town of Springdale Clerk for each *land division* that is approved after the *plan effective date*; the approved *concept plan* shall be filed with the tracking sheet.
  - (b) The *density unit(s)* shall run with the land, not with the *landowner*.
  - (c) When *lot(s)* are created, a *notice document* shall specify the apportionment of the remaining *density unit(s)* [see note 7 in Land Use Plan Section 15(C)].
  - (d) When *lot(s)* are sold without a *notice document* specifying the apportionment of *density units*, it shall be assumed that any *density unit* stays with the seller's property when consistent with the approved *concept plan* on file in the Town Hall.
  - (e) When the *density unit(s)* are exhausted on a property, it shall be recorded by the Town of Springdale Clerk on the town's tracking sheet and by the *landowner* in the Dane County Register of Deeds as a *notice document* [see note 7 in Land Use Plan Section 15(C)].
  - (f) All *lot line adjustments* in the town must be approved by the Town Board, taking into account the review and recommendation of the Town

Plan Commission. The town requires notification of any *lot line adjustment* between adjacent *landowners*. [see *An Ordinance Regulating Lot Line Adjustments* adopted by the town on Oct. 17, 2016].

- (L) In many circumstances signage is incompatible with the goals and policies of this Land Use Plan. The Town shall develop a signage ordinance that promotes rural *non-residential uses* primarily related to agriculture and that ensures signage will not negatively affect the *rural character* of the Town.
- (M) Section 10 shall apply to all *non-residential uses*.



## SECTION 11

### NATURAL RESOURCES

- (A) Springdale is fortunate to have abundant natural resources in its fertile farmland, clean groundwater, meandering streams, expansive *wetlands*, and woodlands. Along with these resources comes the responsibility to serve as stewards of the land. The town wants to ensure that the natural resources are carefully managed and protected in a way that guarantees the rights of all current and future citizens to enjoy and benefit from them.
- (B) Areas classified as *wetlands* on the Wisconsin Wetland Inventory maps shall be protected from residential and non-residential development to preserve the significant natural functions *wetlands* provide, including but not restricted to Klevenville Marsh and Riley Wetlands (see requirements of Department of Natural Resources and Town of Springdale).
- (C) Areas within the 100-year *floodplain* as shown on Flood Insurance Rate Maps, shall be protected from residential and non-residential development to avoid damage to private and public property and the health, safety, and welfare of the community. A buffer zone defined by the Department of Natural Resources shall be protected on each side of streams and drainage ways, including but not restricted to Deer Creek, Feeder Creek, Fryes Creek, Mt. Vernon Creek, and Sugar River (West Branch) (see requirements of Department of Natural Resources, Dane County's Floodplain Zoning Ordinance, and Town of Springdale).
- (D) Waterways, drainage channels, lakes, ponds, and surface water shall be protected from disturbance to prevent degradation of water quality and siltation. Stream bank management, erosion control, proper agricultural practices, storm water management, and use of buffer areas are appropriate practices.
- (E) Landowners shall be encouraged to protect existing wildlife habitats and manage woodlands for sustained yields of desirable species.
- (F) Groundwater quality and quantity shall be protected through regulation of potential sources of contamination, controlling the types of development allowed near municipal wellheads, and preventing excessive irrigation practices.
- (G) *Environmental corridors* or open spaces shall be encouraged to protect environmentally sensitive lands and natural resources. The corridors or open spaces

should protect drainageways, stream channels, *floodplains*, *wetlands*, and other resources that are part of the town's natural countryside.

- (H) Resource Protection Areas identified by the Dane County Department of Planning and Development shall be indicated on *certified survey maps* and *plats*.
- (I) The Town of Springdale shall support permitted and conditional uses consistent with the goals and policies of this land use plan in the following zoning districts: Natural Resource Conservation (NR-C), Utility Transportation and Right-of-Way (UTR), and Recreational District (RE) [see notes 1-3 in Land Use Plan Section 15(H)].
  - 1. The town shall consider supporting rezoning requests for the following kinds of uses that are permitted or conditional uses in the Natural Resource Conservation (NR-C) District that meet the requirements of this Land Use Plan.
    - (a) Permitted Uses:
      - (1) Undeveloped natural resource and open space area
      - (2) Hiking, fishing, trapping, hunting, swimming and boating
      - (3) Outdoor passive recreation
      - (4) Propagation and raising of game animals, fowl and fish
      - (5) The practice of silviculture, including the planting, thinning and harvesting of timber
      - (6) The harvesting of any wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds, in a manner that is not injurious to the natural reproduction of such crops.
      - (7) Pasturing/grazing of livestock, limited to one (1) animal unit per each full acre
      - (8) Uses permitted within a shoreland – or inland – wetland district under ss. 11.07 and 11.08, Dane County Code
      - (9) Soil conservation, shoreland, wetland and ecological restoration practices under an approved permit and consistent with technical standards approved by the Director of the Land and Water Resources.
      - (10) Nonresidential buildings or structures accessory to any permitted use, provided any such building or structure is not located in a floodway, shoreland-wetland, or inland-wetland district.
      - (11) Invasive species control, when conducted according to best practices approved by the Director of Land and Water Resources or the Natural Resources Conservation Service.
    - (b) Conditional Uses:

- (1) The establishment and development of public and private parks and recreation areas, primitive campgrounds, boat access sites, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game preserves, and private wildlife habitat areas.
  - (2) Soil conservation, shoreland, wetland and ecological restoration practices, other than those listed as permitted uses above.
  - (3) The construction and maintenance of roads, railroads, or utilities, provided that:
    - a. The facilities cannot as a practical matter be located outside the NR-C district; and
    - b. Any filling, excavating, ditching, draining, land disturbance, or removal of vegetation that is to be done must be necessary for such construction or maintenance and must be done in a manner designed to minimize adverse impacts upon the natural and ecological resources of the site.
2. The town shall consider supporting rezoning requests for the following kinds of uses that are permitted or conditional uses in the Recreational Zoning (RE) District that meet the requirements of this Land Use Plan.
- (a) Permitted Uses
    - (1) Undeveloped natural resource and open space area
    - (2) Hiking, fishing, trapping, hunting, swimming and boating
    - (3) Outdoor passive recreation
    - (4) Propagation and raising of game animals, fowl, and fish
    - (5) The practice of silviculture, including the planting, thinning, and harvesting of timber
    - (6) The harvesting of any wild crops such as marsh hay, ferns, moss, berries, tree fruits, and tree seeds, in a manner that is not injurious to the natural reproduction of such crops.
    - (7) Pasturing/grazing of domestic animals, limited to one (1) animal unit per each full acre
    - (8) Uses permitted within a shoreland or inland – wetland district under ss. 11.07 and 11.08, Dane County Code. Pasturing of livestock is subject to the animal unit limitation.
    - (9) Soil conservation, shoreland, wetland, and ecological restoration practices
    - (10) Nonresidential buildings or structures accessory to any permitted use, provided any such building or structure is not located in a floodway, shoreland-wetland, or inland-wetland district.

- (11) The establishment and development of public and private parks and recreation areas, primitive campgrounds, boat access sites, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game preserves, and private wildlife habitat areas.
  - (12) Agricultural uses
  - (13) Community gardens
  - (14) Outdoor active recreation, not lighted for nighttime activities
  - (15) Outdoor passive recreation
  - (16) Recreational accessory uses
  - (17) Utility services associated with, and accessory to a permitted or conditional use
  - (18) The construction and maintenance of roads, railroads, utilities, provided that:
    - a. The facilities cannot as a practical matter be located outside the RE district; and
    - b. Any filling, excavating, ditching, draining, land disturbance, or removal of vegetation that is to be done must be necessary for such construction or maintenance and must be done in a manner designed to minimize adverse impacts upon the natural and ecological resources of the site.
- (b) Conditional uses
- (1) Caretaker's residence
  - (2) Cemeteries
3. The town shall consider supporting rezoning requests for the following kinds of uses that are permitted or conditional uses in the Utility Transportation and Right-of Way (UTR) District that meet the requirements of this Land Use Plan.
- (a) Permitted Uses:
- (1) Accessory uses and structures associated with a permitted principal use on parcels in common ownership that are either adjacent or on the opposite side of a public right-of way.
  - (2) Undeveloped natural resource use
  - (3) Community gardens
  - (4) Small-scale farming
  - (5) Public or private roadways
  - (6) Bicycle or hiking trails
  - (7) Private driveways or onsite parking

- (8) Railroad, utility, or access easements or rights-of-way
  - (9) Stormwater facilities
  - (10) Utility services
  - (11) A transportation, utility, communication, or other use that is:
    - a. required under state or federal law to be located in a specific place, or;
    - b. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
  - (12) Invasive species control activities
- (b) Conditional Uses
- (1) Transportation, communications, pipelines, electric transmission, utility, or drainage uses, not listed as a permitted use above
  - (2) Storage structures, not to exceed 250 square feet
  - (3) Runways or take-off and landing areas associated with airports or landing strips.

## SECTION 12

### ENVIRONMENTALLY SENSITIVE AREAS

- (A) A list is provided of the unique and irreplaceable natural resources in the town, which landowners are encouraged to preserve and protect.
- (B) The town shall not use this list to restrict the number of *lots* under residential density options 1, 2, or 3, except where regulations of the county or state apply.
- (C) The town shall consider the proximity of the environmentally sensitive areas in locating *building envelopes* within a property subject to *land division* under residential density options 1, 2, or 3.
- (D) List of environmentally sensitive areas:
  - 1. Bluffs:
    - (a) Donald Park.
  - 2. Cliff habitat located along Town Hall Road.
  - 3. Habitats of endangered and threatened species.
  - 4. Environmental corridors, open spaces, and parks, including but not limited to:
    - (a) Donald Park,
    - (b) Mt. Vernon Park.
    - (c) Military Ridge Bike Trail
  - 5. Floodplains, streams, and watersheds, including but not restricted to:
    - (a) Deer Creek,
    - (b) Feeder Creek,
    - (c) Fryes Creek,
    - (d) Mt. Vernon Creek,
    - (e) Upper Sugar River Watershed.
  - 6. Native plant species along roadsides.
  - 7. Scenic vistas, viewsheds, and roadways located throughout the town.
  - 8. *Wetlands* located throughout the town and including but not limited to:
    - (a) Klevenville Marsh,
    - (b) Riley Wetlands.

## SECTION 13

### CULTURALLY SIGNIFICANT SITES

- (A) A list is provided of the unique and irreplaceable culturally significant sites in the town, which landowners are encouraged to preserve and protect.
- (B) The town shall not use this list to restrict the number of *lots* under residential density options 1, 2, or 3, except where regulations of the county or state apply.
- (C) The town shall consider the proximity of the culturally significant sites in locating *building envelopes* within a property subject to *land division* under residential density options 1, 2, or 3.
- (D) List of culturally significant sites:
  - 1. Archaeological sites:
    - (a) Indian mounds (section 15).
  - 2. Historic *buildings* and sites:
    - (a) Donald Farm,
    - (b) First Norwegian Church Cemetery and Monument to the early Norwegian settlers (section 8),
    - (c) Lime Kiln (section 30),
    - (d) Log Buildings (sections 4, 32),
    - (e) Mt. Vernon Church (section 34),
    - (f) Oak Hill Scotch Settlement Cemetery (section 26),
    - (g) Springdale Lutheran Church (section 8),
    - (h) Springdale Town Hall (section 21).

## SECTION 14

### AMENDING THE PLAN

- (A) This Land Use Plan shall require periodic review and revisions as more information is gathered, public attitudes change, and experience is gained in policy implementation. As a means of assuring the possibility for change and improvement, a formal annual review period is hereby established. Each year in the month of December, a formal notice shall be posted at the Town Hall and placed in the local papers notifying citizens of the plan review process.
- (B) This Land Use Plan shall be reviewed annually to improve the clarity in the interpretation and the implementation of the policies. It should be noted that even the smallest change to one policy in the Land Use Plan may have implications for other policies throughout the Land Use Plan.
- (C) Members of the Town of Springdale Plan Commission or any other person owning land in the town may propose an amendment to the Land Use Plan. Proposals to amend the Land Use Plan shall be submitted in writing to the Town of Springdale Plan Commission on or before December 31.
- (D) Proposals shall be reviewed by the Town of Springdale Plan Commission with a public hearing to be held at a meeting in January to discuss the proposals.
- (E) The Town of Springdale Plan Commission shall then consider the public comments, conduct any further study, and make recommendations for action to the Town of Springdale Town Board at a meeting in February; recommendations by the Plan Commission are advisory and not binding on the Town Board.
- (F) Recommendations by the Town of Springdale Plan Commission shall be discussed at a public hearing to be held by the Town of Springdale Town Board at a meeting in April.
- (G) The Town of Springdale Town Board shall act, to approve, to deny, or to amend the proposed amendments at a meeting in May.
- (H) When the Town of Springdale Town Board revises the Land Use Plan, all changes shall be recorded both in an unbound Master Copy and on an electronic copy of the Land Use Plan maintained by the Town of Springdale Clerk at the Town Hall



- (I) Copies of the amended page(s) shall be provided to each Town of Springdale Plan Commission member and Town of Springdale Town Board member for updating their copy of the Land Use Plan.
- (J) New printed copies of the Land Use Plan shall always be made from the Master Copy.
- (K) The Town of Springdale Plan Commission may consider amendments at other times than the annual review period at the request of the Town of Springdale Town Board.
- (L) The first period for submission of proposals for the annual review period shall be in December, 2002.

SECTION 15

NOTES TO SECTIONS 4, 5, 6, 7, 8, 9, 10

(A) Notes to Section 4: Implementing the Goals

1. Based on protracted deliberations of the Plan and Ordinance Committees, with public input and consideration of the current land use policies in the Town, the densities of 1:25, 1:17, 1:14 were proposed to accomplish the goals and policies in the Land Use Plan.
2. *Lot* sizes for residential *and non-residential uses* within each option may be less than the density standard but must be at least one acre in area.
3. Switching from a lower numbered option to a higher numbered option can be considered only prior to the creation of a second new lot for *residential use* and involves the following calculation of *density unit(s)*:
  - (a) When one (1) *lot* smaller than twenty-five (25) acres was created under residential density option 1, then the calculation shall be based on “*contiguous acres owned on Plan effective date*” minus twenty-five (25) acres. If the *lot* was larger than twenty-five (25) acres, then the acreage greater than twenty-five (25) shall also be subtracted from the “*contiguous acres owned on Plan effective date.*”
  - (b) When one (1) *lot* smaller than seventeen (17) acres was created under residential density option 2, then the calculation shall be based on “*contiguous acres owned on Plan effective date*” minus seventeen (17) acres. If the *lot* was larger than seventeen (17) acres, then the acreage greater than seventeen (17) shall also be subtracted from the “*contiguous acres owned on Plan effective date.*”
4. Switching from a higher numbered option to a lower numbered option involves the following calculation of *density unit(s)*:
  - (a) When *lot(s)* smaller than seventeen (17) acres were created under residential density option 2, then the calculation shall be based on “*contiguous acres owned on Plan effective date*” minus (“number of *lot(s)* created under option 2” multiplied by seventeen (17)). If any of the *lot(s)* created under option 2 were larger than seventeen (17) acres, then the acreage greater than seventeen (17) shall also be subtracted from the “*contiguous acres owned on Plan effective date.*”

- (b) When *lot(s)* smaller than fourteen (14) acres were created under residential density option 3, then the calculation shall be based on “*contiguous acres owned on Plan effective date*” minus (“number of *lot(s)* created under option 3” multiplied by fourteen (14)). If any of the *lot(s)* created under option 3 were larger than fourteen (14) acres, then the acreage greater than fourteen (14) shall also be subtracted from the “*contiguous acres owned on Plan effective date.*”
5. If a parcel greater than 35 acres has been created after the *Plan effective date* without a *concept plan* (or if a parcel greater than 80 acres has been created after May 18, 2009 without a *concept plan*), and the *owner(s)* of the newly created parcel and the *owner(s)* of the *contiguous acres* owned on the *Plan effective date* wish to allot more than one *density unit* to the new parcel, the Plan Commission will consider the *contiguous acres* owned on the *Plan effective date* as the basis for the *concept plan*. Until such time that a transfer of development rights program is adopted by the Town of Springdale, the *contiguous acres* owned on the *Plan effective date* shall be in essence “frozen” to allow for the transfer of *density unit(s)* among the parcels greater than 35 acres and the original *contiguous acres* on the *Plan effective date*.

Since the adoption of the *Plan* and Code in March 2002, the Town has struggled with the issue of allocation of *density units* on parcels created without Town review. The change to the *Plan* and Code should help avoid these difficulties by ensuring that the Town is involved in the allocation and location of *density units* before new parcels are created and deeds are recorded with the Dane County Register of Deeds. The Town’s involvement will help avoid confusion between buyers, sellers and the Town about the allocation of *density units*.

(B) Notes to Section 5: Residential Density Option 1

1. *Contiguous lot(s)* created by *certified survey map* before the *Plan effective date* shall not be counted in the *contiguous acres* owned on the *Plan effective date*, except for the purposes of preparing a *concept plan* (locating *development area(s)*, current proposals for *lot(s)*, *building envelope(s)*, and driveways.
2. For one-hundred (100) or more *contiguous acres* on the *Plan effective date*, when the calculation of *density unit(s)* results in a fractional *lot*, the total number of *lot(s)* shall be rounded up when the fraction is equal to or greater than one-half (1/2), as in .5 through .99, which shall be rounded to one (1)

additional *lot*. As a compromise and to maintain consistency in the density, the Plan Committee proposed one-hundred (100) *contiguous* acres as the lower limit for the rounding up of a fractional *lot*.

3. The Plan and Ordinance Committees proposed three (3) rather than another number of *single family detached dwelling units* on a driveway to minimize the impact on *agricultural land*, to minimize the number of driveway accesses, and to meet the county requirement of a sixty-six (66) foot frontage for each *lot*. Three *dwelling units* allows the optimization of safe roadway access points and minimizes the number of required sixty-six (66) foot frontages to a public roadway.
4. This is a county policy for which the number of *lots* can be decreased but not increased by a town.
5. A *notice document* is in lieu of a “buyer beware” approach. A *notice document* is different from a *deed restriction* (see Section 2: Definitions).
6. When a *building envelope* change is requested by a property owner, the owner shall provide a signed statement from the developer and/or homeowners’ association, whomever remains involved, verifying that the requested change in *building envelope* is consistent with their agreements.

(C) Notes to Section 6: Residential Density Option 2

1. *Contiguous lot(s)* created by *certified survey map* before the *plan effective date* shall not be counted in the *contiguous* acres owned on the *plan effective date*, except for the purposes of preparing a *concept plan* (locating *development area(s)*, current proposals for *lot(s)*, *building envelope(s)*, and driveways.
2. For one-hundred (100) or more *contiguous* acres on the *plan effective date*, when the calculation of *density unit(s)* results in a fractional *lot*, the total number of *lot(s)* shall be rounded up when the fraction is equal to or greater than one-half (1/2) as in .5 through .99, which shall be rounded to one (1) additional *lot*. As a compromise and to maintain consistency in the density, the Plan Committee proposed to set one-hundred (100) *contiguous* acres as the lower limit for the rounding up of a fractional *lot*.
3. The Plan Committee proposed fourteen (14) acres as the lower limit is a political compromise because it was consistent with the highest density of residential development (1:14) permitted in this Land Use Plan.

4. Not applicable for a *lot* of more than fourteen (14) acres and less than seventeen (17) acres created after the *plan effective date*.
5. The Plan and Ordinance Committees proposed three (3) rather than another number of *single family detached dwelling units* on a driveway (a) to minimize the impact on *agricultural land*, (b) to minimize the number of driveway accesses, and (c) to meet the county requirement of a sixty-six (66) frontage for each *lot*. Three *dwelling units* allows the optimization of safe roadway access points and minimizes the number of required sixty-six (66) foot frontages to a public roadway.
6. This is a county policy for which the number of *lots* can be decreased but not increased by a Town.
7. A *notice document* is in lieu of a “buyer beware” approach. A *notice document* is different from a *deed restriction* (see Section 2: Definitions).
8. When a *building envelope* change is requested by a property owner, the owner shall provide a signed statement from the developer and/or homeowners’ association, whomever remains involved, verifying that the requested change in *building envelope* is consistent with their agreements.
9. When a building height restriction is agreed upon as part of an Option 2 land division, the landowner shall be responsible for demonstrating that the height restriction is met.

(D) Notes to Section 7: Residential Density Option 3

1. *Contiguous lot(s)* created by *certified survey map* before the *Plan effective date* shall not be counted in the *contiguous* acres owned on the *Plan effective date*, except for the purposes of preparing a *concept plan* (locating *development area(s)*), current proposals for *lot(s)*, *building envelope(s)*, and driveways.
2. For one-hundred (100) or more *contiguous* acres on the *Plan effective date*, when the calculation of *density unit(s)* results in a fractional *lot*, the total number of *lot(s)* shall be rounded up when the fraction is equal to or greater than one-half (1/2) as in .5 through .99, which shall be rounded to one (1) additional *lot*. As a compromise and to maintain consistency in the density,, the Plan Committee proposed one-hundred (100) *contiguous* acres as the lower limit for the rounding up of a fractional *lot*.

3. Seventy (70) is the smallest *contiguous* acreage that when divided by fourteen (14) results in five (5) or more *lots*.
4. The Plan and Ordinance Committees proposed the percentage of twenty-five (25) because it was the minimum percentage that provided leeway in accommodating (a) the number of *lots* created on seventy (70) or more acres at the allowed density of 1:14 under option 3 and (b) the policies in the Town of Springdale Land Division and Subdivision Code.
5. A *deed restriction* is different from a *notice document* (see Section 2: Definitions).
6. The Plan and Ordinance Committees proposed three (3) rather than another number of *single family detached dwelling units* on a driveway to minimize the impact on *agricultural land*, to minimize the number of driveway accesses, and to meet the county requirement of a sixty-six 66 foot frontages for each *lot*. Three *dwelling units* allows the optimization of safe roadway access points and minimizes the number of required sixty-six (66) foot frontages to a public roadway.
7. A *notice document* is in lieu of a “buyer beware” approach. A *notice document* is different from a *deed restriction* (see Section 2: Definitions).

(E) Notes to Section 8 : Agricultural Uses

1. The intent and purpose of the Rural Residential District is to (a) Provide for single-family residential principal uses and a variety of accessory or ancillary uses, including small-scale farming, appropriate to a rural setting, on relatively small parcels. The RR district accommodates uses which are compatible with both residential and farming practices, are typically found in a rural location and do not require urban services. (b) Such uses typically generate traffic, noise or other impacts similar to those produced by a single-family residence.
2. The intent and purpose of the Rural Mixed Use District is to (a) Provide for a mix of agriculture, residential, utility, limited business and accessory uses consistent with and appropriate to a rural setting, on moderately sized parcels. The RM districts accommodates uses which are compatible with onsite and neighboring production agriculture, are typically found in a rural location and do not require urban services. (b) Such uses typically generate traffic, noise or other impacts similar to those produced by either a farm operation or a single-family residence.

3. The intent and purpose of the Agricultural Transition District (AT-35) is designed to:
  - (a) Accommodate, for an unspecified period of time, a wide range of agriculture and agricultural accessory uses, at various scales in areas that are ultimately planned for either: 1. a long-term mixture of agricultural and residential uses, or 2. transition to a Farmland Preservation district.
  - (b) The district applies to such existing or proposed uses on properties located outside of mapped agricultural preservation areas as shown in the Dane County Farmland Preservation Plan.
  - (c) The AT-35 district accommodates as permitted uses all activities typically associated with the primary production and harvesting of crops, livestock, animal products or plant materials. Such uses may involve noise, dust, odors, heavy equipment, use of chemicals and long hours of operation.
  - (d) Allow for incidental processing, packaging, storage, transportation, distribution or other activities intended to add value to agricultural products produced on the premises or to ready such products for market. Such uses are conditional as they may have the potential to pose conflicts with agricultural use due to: volumes or speed of vehicular traffic; residential density; proximity to incompatible uses; environmental impacts; or consumption of agriculturally productive lands.
  - (e) Allow for other incidental activities, compatible with agricultural use, to supplement farm family income and support the agricultural community.
  - (f) Reduce costs for providing services to scattered non-farm uses.

(F) Notes to Section 9: Residential Uses

1. The intent and purpose of the Single Family Districts (SFR) is to (a) Provide for single-family residential principal uses, compatible home occupations, and residential accessory buildings, appropriate to a compact neighborhood setting, on relatively small parcels. The SFR districts accommodate uses which are compatible with residential uses, are typically found in a suburban or residential neighborhood and may or may not be on public sewer. (b) Such uses typically generate traffic, noise or other impacts similar to those produced by a single-family residence.
2. The intent and purpose of the Hamlet Residential District (HAM-R) is intended to accommodate new or existing development, or redevelopment, on relatively small lots, with buildings close to the street. It includes a mix of single-family, two-family and multifamily residential and civic uses in

compact blocks laid out in a traditional grid pattern. Many older residential neighborhoods typify the characteristics of a HAM-R district.

4. The intent of purpose of the Rural Residential Districts (RR) is to provide for single-family residential principal uses and a variety of accessory or ancillary uses, including small-scale farming, appropriate to a rural setting, on relatively small parcels. The rural residential districts accommodate uses which are compatible with both residential and farming practices, are typically found in a rural location and do not require urban services. Such uses typically generate traffic, noise or other impacts similar to those produced by a single-family residence.
5. The intent and purpose of the Rural Mixed-Use Districts (RM) is to provide for a mix of agriculture, residential, utility, limited business, and accessory uses consistent with and appropriate to a rural setting, on moderately sized parcels. The RM districts accommodate uses which are compatible with onsite and neighboring production agriculture, are typically found in a rural location and do not require urban services. Such uses typically generate traffic, noise or other impacts similar to those produced by either a farm operation or a single-family residence.
6. The intent and purpose of the Two Family Residential (TFR) is to provide for single-family or duplex residential principal uses, compatible home occupations, and residential accessory buildings, appropriate to a compact neighborhood setting, on relatively small parcels. The TFR-08 district accommodates uses which are compatible with residential uses, are typically found in a suburban or residential neighborhood and may or may not be on public sewer. Such uses typically generate traffic, noise or other impacts similar to those produced by a single-family residence
7. The intent and purpose of the Multi Family Residential (MFR) District is to provide for single-family, compatible home occupations, and residential accessory buildings, appropriate to a compact neighborhood setting, on relatively small parcels. The MFR-08 district accommodates uses which are compatible with residential uses, are typically found in a relatively dense neighborhood and may or may not be on public sewer. Such uses typically generate traffic, noise or other impacts similar to those produced by a multi-family residence.

(G) Notes to Section 10: Non-residential Uses



1. The Agricultural Transitional-Business District (AT-B) provides for a wide range of agriculture, agricultural accessory, and agriculture-related uses, at various scales with the minimum lot area necessary to accommodate the use. The AT-B district accommodates uses which are commercial or industrial in nature; are associated with agricultural production; require a rural location due to extensive land area needs or proximity of agricultural resources; and do not require urban services. (c) In appearance and operation permitted uses in the AT-B district are often indistinguishable from a farm. (d) Conditional uses are more clearly commercial or industrial in nature, and may involve facilities or processes that require a remote location distant from incompatible uses, proximity to agricultural products or suppliers and/or access to utility services or major transportation infrastructure (see Dane County Code Chapter 10).
2. The intent and purpose of the HAM-M District is to accommodate a variety of commercial activities in conjunction with civic open spaces and buildings. It is a denser, fully-mixed use part of a community. Within the HAM-M district, the predominant land and building use is commercial, but may include residential and workplace uses in deference to the purpose and character of local commercial activities. It is typically located along an important street. Many older traditional downtown or neighborhood commercial districts typify the characteristics of a HAM-M district (see Dane County Code, Chapter 10).
3. The Limited Commercial (LC) zoning district is intended for small commercial uses that may need to locate in predominantly rural areas due to their often large service areas, and their need for larger lot sizes. In appearance and operation, such uses are often similar to agricultural uses and therefore are more suited to a rural area. Such uses include, but are not limited to: Contractor businesses; transportation businesses; building trade businesses; and landscaping operations. (see Dane County Code, Chapter 10).
4. Though the land uses in the General Commercial (GC) zoning district are not consistent with the goals of the Plan, there are a few parcels in the town that are assigned this zoning district because of legally existing uses in effect at the time of adoption of the Dane County Comprehensive Revision (January 17, 2019). As noted in this section, the Plan does not support any future requests to rezone to the General Commercial zoning district.
5. Dane County Code of Ordinances 10.049.(6) addresses topography near property lines. When land disturbing activities associated with development occur within five (5) feet of any property line, finished grades in that area shall

be restored to the topography in existence before the land disturbing activity began.

6. When a *building envelope* change is requested by a property owner, the owner shall provide a signed statement from the developer and/or homeowners' association, whomever remains involved, verifying that the requested change in *building envelope* is consistent with their agreements.
7. When a building height restriction is agreed upon as part of an Option 2 land division, the landowner shall be responsible for demonstrating that the height restriction is met.

(H) Notes to section 11: Natural Resources

1. The purpose of the Natural Resource Conservation District (NR-C) is to protect, maintain, and enhance natural resource and open space areas. Limited permitted and conditional uses are offered, and regulation of these areas shall serve to control erosion and promote the rural character and natural beauty of the township while seeking to assure protection of areas with significant topography, natural watersheds, ground and surface water, wildlife habitat, recreational sites, archeological sites, and other natural resource characteristics that contribute to the environmental quality of the Town of Springdale.
2. The Utility, Transportation and Right-of-Way District (UTR) is intended to provide for parcels intended for purely utilitarian, nonresidential uses with no principal structure. The UTR district is intended for parcels that due to their size, width, location, proximity to a roadway, division by municipal boundaries or other circumstance are unsuitable for most forms of residential, commercial or other structural development, yet lack significant natural resource features.
3. The purpose of the Recreational District (RE) is to allow for a mix of environmental conservation and both passive and active outdoor recreation activities. Permitted uses are those typically associated with public or private parks, golf courses, and similar land uses that produce limited noise, traffic, light, and other potential nuisances. Conditional uses include those uses, such as lighted athletic fields, outdoor concerts and commercial uses that have the potential to generate significant noise, traffic or other impacts to neighboring properties.