

Cover

Town of Cross Plains

Comprehensive Plan



Adopted September 8, 2009
Amended 2012
Amended 2018
by the Town of Cross Plains
Board of Supervisors

Chapter 1

INTRODUCTION

Town Profile

The Town of Cross Plains is located in west-central Dane County (Map 1-1). The terminal moraine, or farthest westward extent of the most recent ice age glacier runs through the northeastern corner of the township making most of the town a part of the 20,000 sq. mile area known as the Driftless Area. As a consequence, the topography of the Town of Cross Plains is one of broad, flat valleys with productive agricultural soils bordered by steep hills and coulees (Map 1-2).



While the area was likely an Oak-Savannah ecological community prior to

territorial settlement, today it is a landscape of agricultural fields on hilltops and valley floors. There are stands of hardwood forest and some pines on the steep slopes of hills and coulees. Two large valleys are formed by the Black Earth Creek watershed in the northern half of the town, and the Sugar River watershed in the southern half. As an unglaciated landscape, the Driftless Area is of considerable geological and biological interest, and there is a Cross Plains Unit of the Ice Age National Scientific Reserve and a newly designated Cross Plains State Park within the Town of Cross Plains.

The rural settlement of Pine Bluff is located within the south-central part of the Town of Cross Plains, and the Village of Cross Plains adjoins the town on its northern boundary. The Village of Cross Plains is the only incorporated village providing sewer and water services that adjoins the Town of Cross Plains. Although the Town of Cross Plains does have two residential subdivisions within it, these areas have no sewer services.

Planning History

The Town of Cross Plains adopted the existing *Town of Cross Plains Land Use Plan* in 1981. The town plan was also adopted by the Dane County Board of Supervisors as part of the *Dane County Farmland Preservation Plan*, under the authority of Chapter 91 of the Wisconsin State Statutes. The two unsewered subdivisions mentioned above were created prior to the adoption of the 1981 land use plan.

To meet the requirements of the state's new comprehensive planning law, the Town undertook the task of updating and expanding its Land Use Plan. With the assistance of Dane County Planning and Development, the Town gathered public input and crafted

the goals, objectives and policies to guide the Town over the next twenty years. This comprehensive plan is intended to aid the Plan Commission and Town Board in matters related to the growth and development of the Town.

Plan Updates

As per Wisconsin's comprehensive planning legislation, the Town will review and update the *Comprehensive Plan* at least every ten years. Changing conditions and experiences in the Town will be noted and adjustments will be made to the *Comprehensive Plan* text and maps.

CHAPTER 1: ISSUES AND OPPORTUNITIES

Background and Existing Conditions

Population Trends and Projections

The Town of Cross Plains experienced minor losses in population in the decades 1940 to 1960; however from 1960 to 1970 the population grew by more than 16%. The following decade saw a very modest population growth rate of 1.4%, but between 1980 and 1990, the population grew by more than 30%, the largest surge in growth since 1940. From 1990 to 2000, the population has grown by 7.5%. The Wisconsin Department of Administration (WIDOA) projects an average annual population growth rate of about 0.77% over the next 20 years for the Town of Cross Plains. Between 2005 and 2025 the town is projected to grow by 248 people, or 16.6%.

Chart 1-1: Population Growth

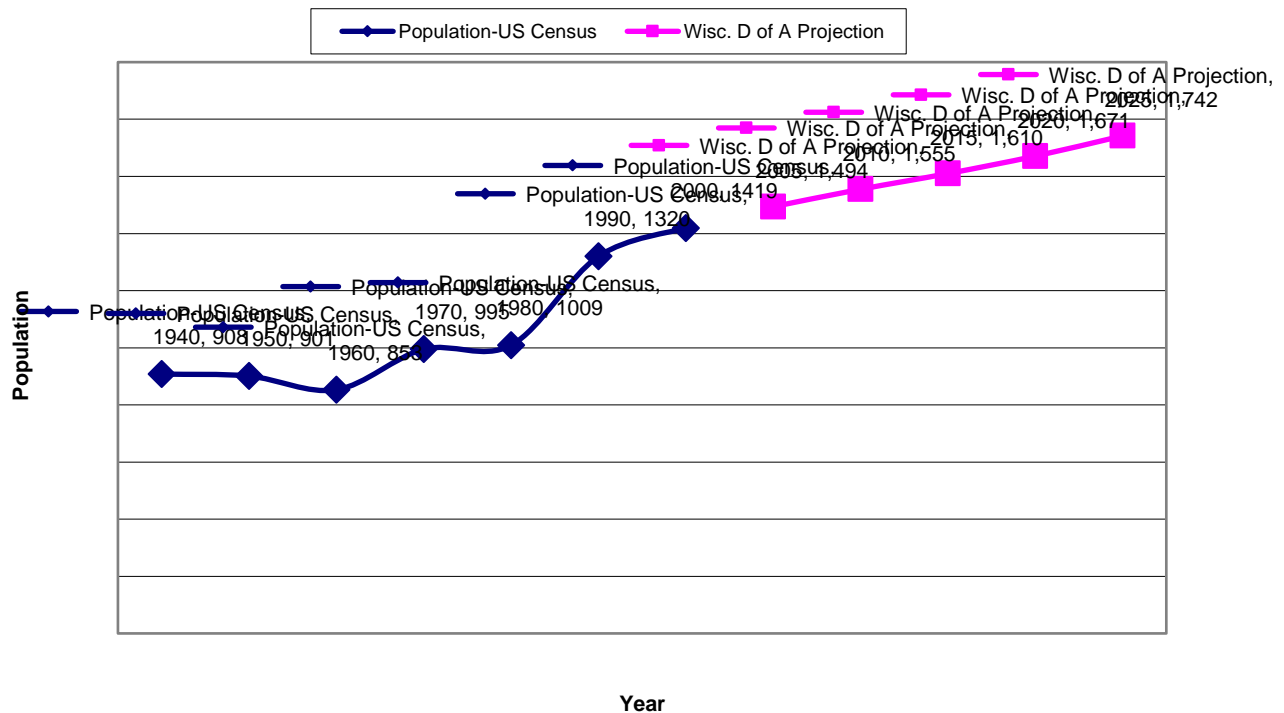


Table 1-A: Population Projections for Surrounding Communities

| Municipality | 2005 | 2010 | 2015 | 2020 | 2025 |
|----------------------|-------|-------|-------|-------|-------|
| Town of Cross Plains | 1,494 | 1,555 | 1,610 | 1,671 | 1,742 |
| Town of | 5,402 | 6,077 | 6,761 | 7,463 | 8,151 |

| | | | | | |
|-------------------------|-------|-------|-------|-------|-------|
| Middleton | | | | | |
| Town of Springdale | 1,674 | 1,799 | 1,916 | 2,039 | 2,173 |
| Town of Berry | 1,153 | 1,186 | 1,226 | 1,268 | 1,306 |
| Town of Vermont | 879 | 930 | 989 | 1,049 | 1,108 |
| Village of Cross Plains | 3,464 | 3,792 | 4,158 | 4,534 | 4,901 |

Source: Wisconsin Department of Administration

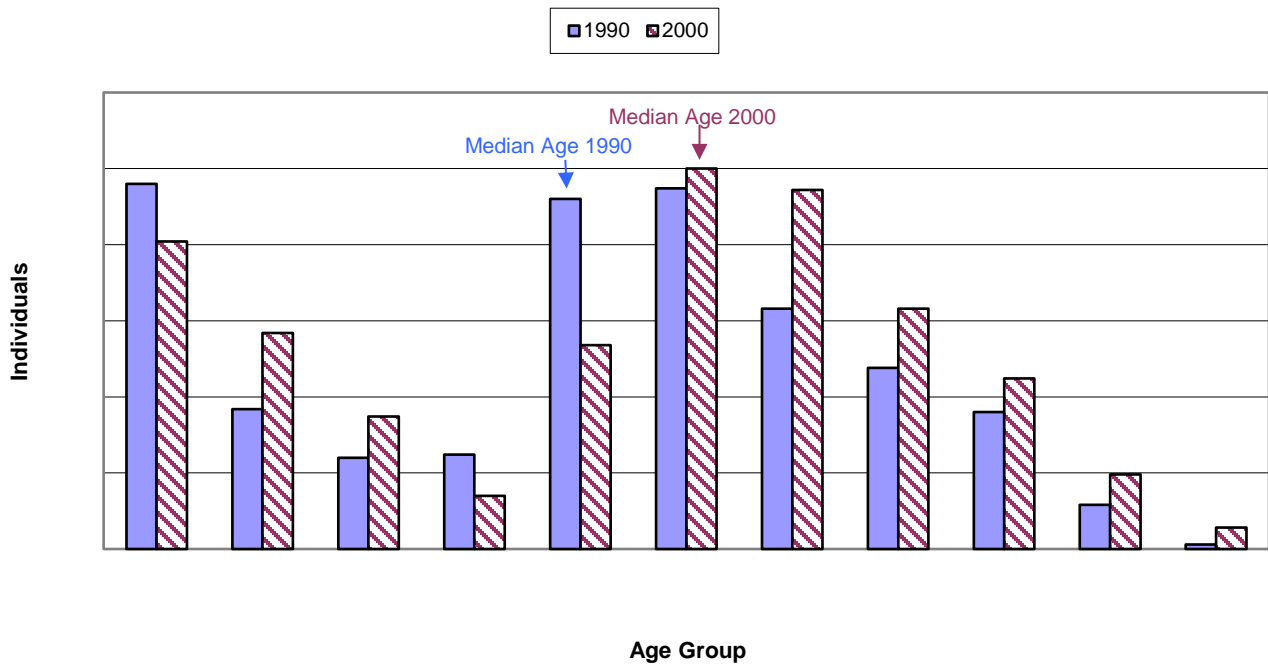
Demographic Trends

Age

The median age of the Town of Cross Plains's population has increased from about 32 years in 1990 to 39.4 years in 2000. By comparison, the median age in Dane County over the same period increased from 30.7 to 33.2 years of age.

As might be expected from the change in median age, the main difference in age demography of the Town of Cross Plains from 1990 to 2000 is an increase in all age groups 45 years of age and older. In comparison with Dane County, the Town of Cross Plains in both 1990 and 2000 censuses showed fewer individuals aged 15 years to 34 years. The Town of Cross Plains is likely to have an increasing proportion of its population over 65 years of age, with an increasing demand on social services, and more retirees living on a fixed income.

Chart 1-2: Age Cohorts 1990-2000



Source: U.S. Census Bureau, Census 1990, Census 2000

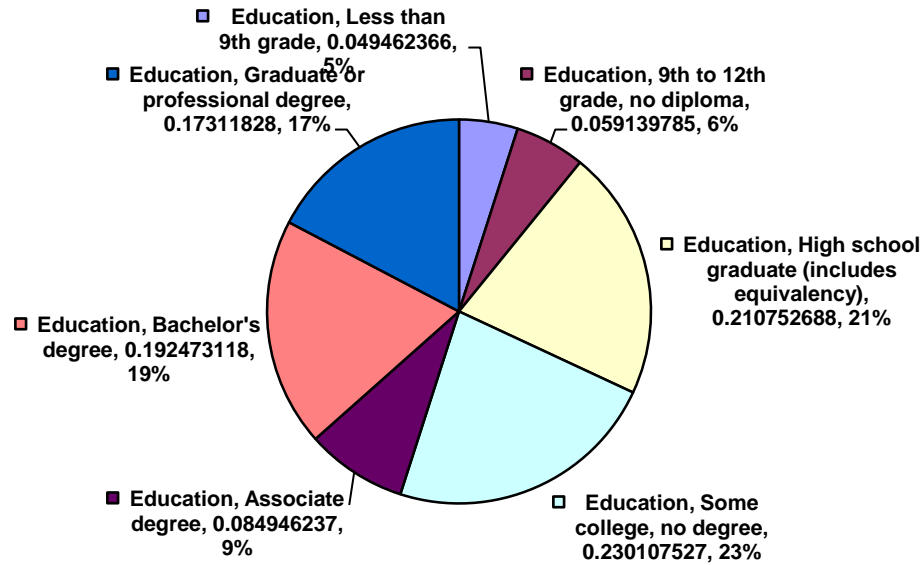
Ethnic Minorities

U. S. Census data show that the minority population of the Town of Cross Plains is 2% of the total population. The census shows 11 self-identified racial groups other than white, with African American (0.6%) and Asian (0.5%) being the most frequent after the 98% White population group.

Education

Educational attainment is similar to the County as a whole; 89% of Town of Cross Plains residents 25 years or older hold a high school diploma or higher degree. Between 1990 and 2000, the number of Town of Cross Plains residents with bachelor’s, graduate or professional degrees, grew by 120 (55%).

Chart 1-3: Educational Attainment, 2000



Source: U.S. Census Bureau, 2000 Census

Income

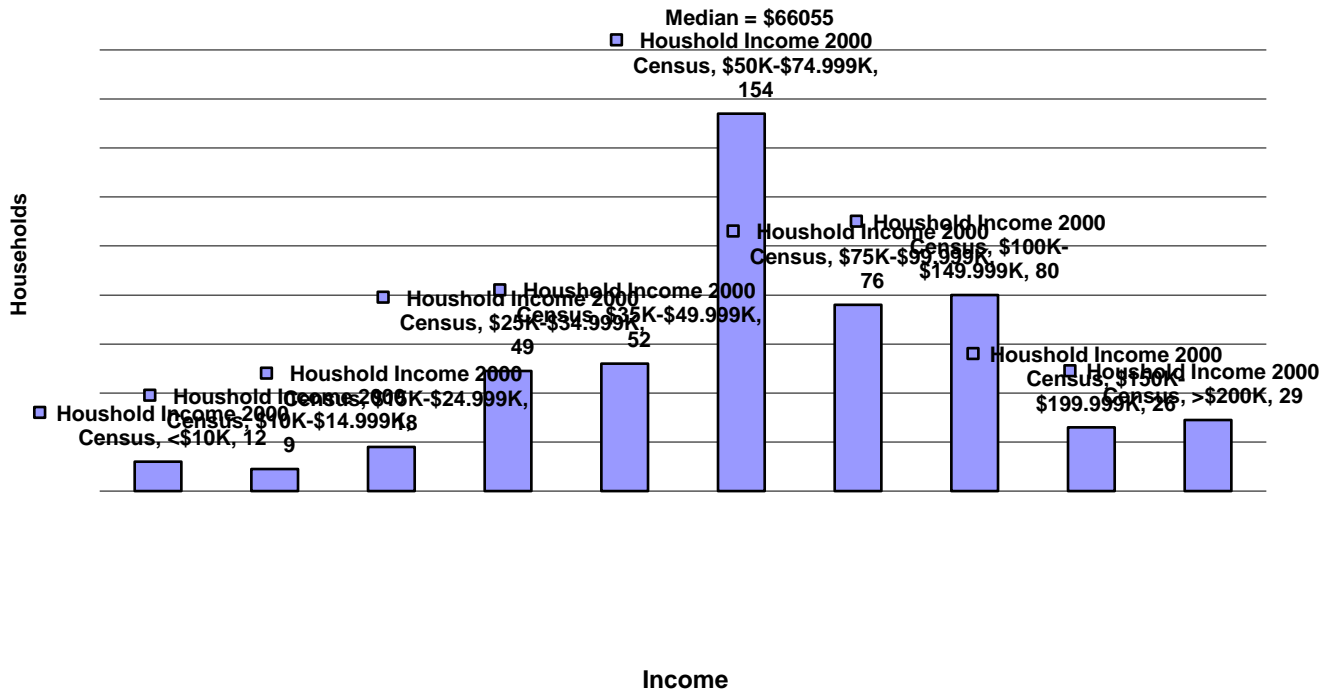
Household income levels in the Town of Cross Plains are similar to other comparable towns in Dane County. The Town of Cross Plains' median household annual income in 1999 was \$66,055.00, substantially above the Dane County median of \$49,223.00, but comparable to neighboring towns. According to the U.S. Census data, 23 individuals or 1.7% of Town of Cross Plains's total population were living below the poverty level.

Table 1-C: Median Household Income, 1999

| Municipality | Median Household Income |
|-----------------------------|-------------------------|
| Town of Cross Plains | \$66,065 |
| Town of Middleton | \$93,008 |
| Town of Springdale | \$65,655 |
| Town of Vermont | \$65,208 |
| Town of Berry | \$61,429 |
| Village of Cross Plains | \$56,629 |
| Dane County | \$49,223 |

Source: U.S. Census Bureau, 2000 Census

Chart 1-4: Household Income, 1999

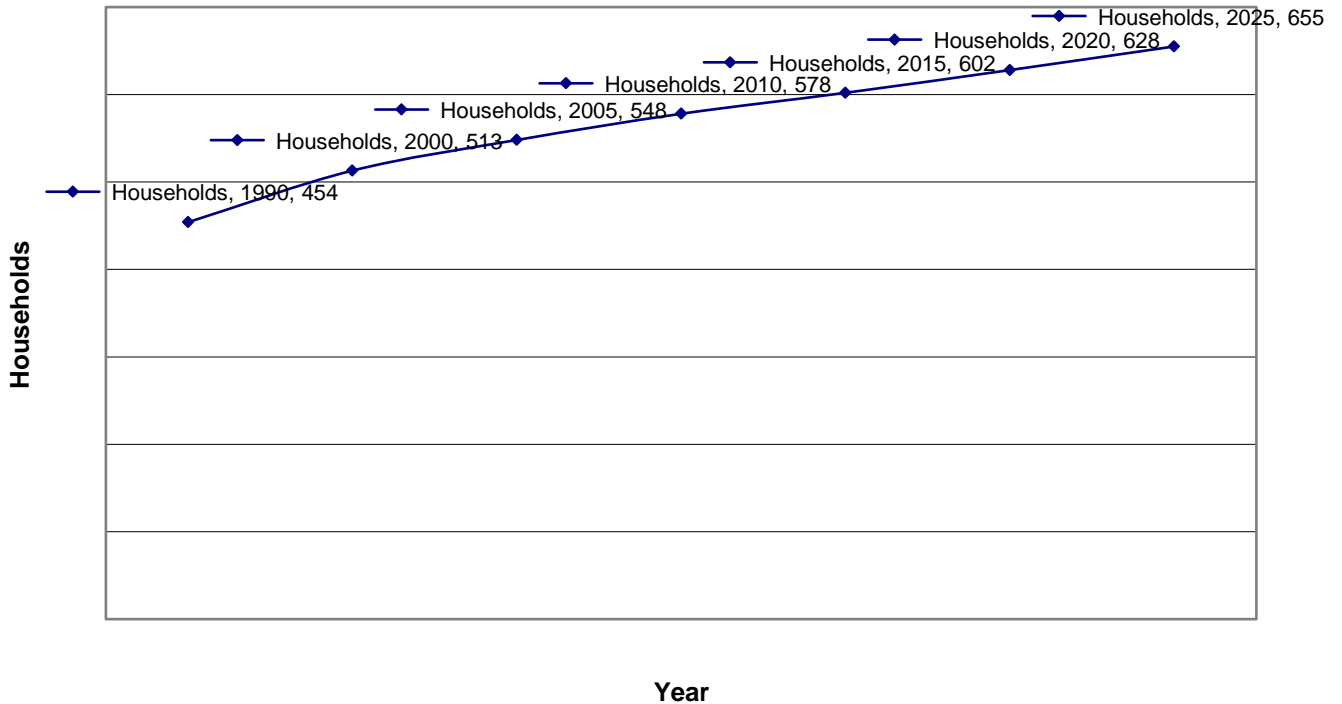


Source: U.S. Bureau of the Census, 2000 Census

Housing and Household Trends

The number of households in the Town of Cross Plains increased from 454 in 1990 to 513 in 2000, an increase of 12.9%. However, mean household size in 1990 was 2.97 persons, which decreased to 2.77 persons in 2000. This change mirrors a national trend in decreasing size of households. WIDA projects the number of households in the Town of Cross Plains to grow from 513 in 2000, to 655 in 2025, a growth of 27.6%.

Chart 1-5: Number of Households, 1980-2025



Source: *The Applied Population Lab, Department of Rural Sociology, U. of Wisconsin, Madison, 2004, and the Wisconsin Department of Administration, 2004.*

Labor Force and Employment Trends

The Town of Cross Plains's labor forces includes those individuals over the age of 16 who are currently employed or who are available for work. Of the Town of Cross Plains' total labor force of 818 people, 2 persons, or 0.2 %, were unemployed as of the 2000 census. This unemployment rate compares very favorably to Dane County and other towns in the county.

Between 1990 and 2000, the total labor force in the Town of Cross Plains increased by 9.5%. However, there were marked changes in the occupations of town residents. Most notable are an increase of 103% in the number of persons employed in management and professional occupations, and a 51.9% decline in the number of persons employed in farming occupations. This decline in farming occupations reflects a statewide trend, and matches changes in other townships in Dane County.

Between 2000 and 2025, the Town of Cross Plains is projected to grow by over 300 new residents. If current trends continue, it is likely that the bulk of these new residents will be employed in management and professional occupations, service occupations, and sales and office occupations, working outside Town of Cross Plains in the cities of

Madison, Middleton or other nearby municipalities. While these jobs will likely be available in the nearby communities, these residents will be daily commuters who will add to the need for transportation infrastructure.

The Town of Cross Plains has a large gravel extraction site, several quarries, a landscape contracting business, a trailer manufacturing facility, and several taverns within its boundaries. Most of the land in Town of Cross Plains is devoted to agricultural production. We anticipate that the employment related to all these activities will continue at its present level, and provide employment within the town.

Table 1-C: Occupation

| Employed persons 16 years and over | 1990 | 2000 | % Change |
|--|-------------|-------------|-----------------|
| Management, Professional and Related Occupations | 168 | 341 | 103.0% |
| Service Occupations | 77 | 91 | 18.2% |
| Sales and Office | 242 | 199 | -17.8% |
| Farming | 106 | 51 | -51.9% |
| Construction, Extraction and Maintenance | 81 | 60 | -25.9% |
| Production, Transportation and Material moving | 71 | 74 | 4.2% |
| | | | |
| Total in Labor Force | 745 | 816 | 9.5% |

Source: U.S. Census Bureau, 1990 Census, 2000 Census

Key Planning Issues and Overall Goals

Public Participation Process

At the very beginning of the planning process, the town adopted a public participation plan (see Appendix A). This plan included development of a plan steering committee, and various methods of ensuring participation, including a newsletter, website, community survey, an open house and a public hearing.

The survey generated useful input into the comprehensive planning effort. Surveys were distributed to 1,000 residents, and 575 responded, a 58% return rate. Residents were asked if they agreed with the overall goals identified in the 1981 Town of Cross Plains Land Use Plan. Results indicated strong majorities supported the original goals. Detailed results included:

- 84% agreed or strongly agreed that the town should seek to “Preserve the productive farmlands in the town for continued agricultural use.”
- 86% agreed or strongly agreed that the town should seek to “Protect farms from conflict with incompatible uses.”



- 84% agreed or strongly agreed that the town should seek to “Control sporadic development.”
- 92% agreed or strongly agreed that the town should seek to “Protect the natural environment.”
- 87% agreed or strongly agreed that the town should seek to “Maintain the rural character of the town.”
- 87% agreed or strongly agreed that the town should seek to “Avoid substantial expenditure of public funds for urban development.”

Detailed analysis of survey results is available in Appendix 1.

Overall Goals

- Preserve the productive farmlands in the town for continued agricultural use.
- Protect farm operations from conflict with incompatible uses.
- Protect the natural environment.
- Control sporadic development.
- Maintain the rural character of the town.
- Avoid significant expenditure of public funds for urban development.

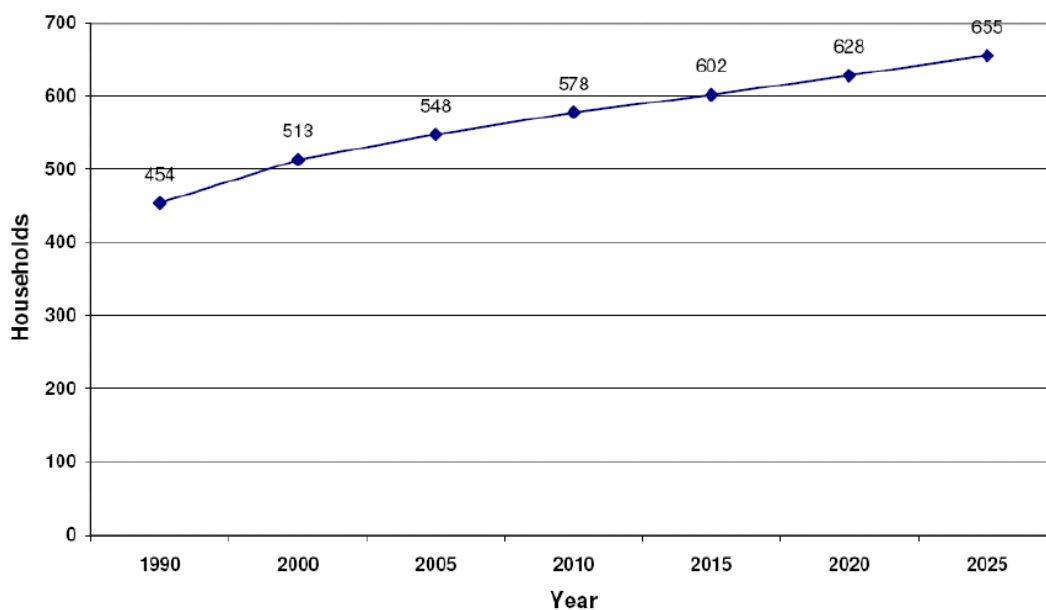
Chapter 2

CHAPTER 2: HOUSING

Existing Housing Conditions

- **Housing Stock Characteristics:** The number of housing units in the Town increased more than 150% during the 1970-2006 period. The county as a whole saw a 95% rise in the number of housing units from 1970-2000, with the bulk of the increases occurring in villages and cities.

Chart 2-1: Number of Housing Units in Cross Plains, 1970-2025



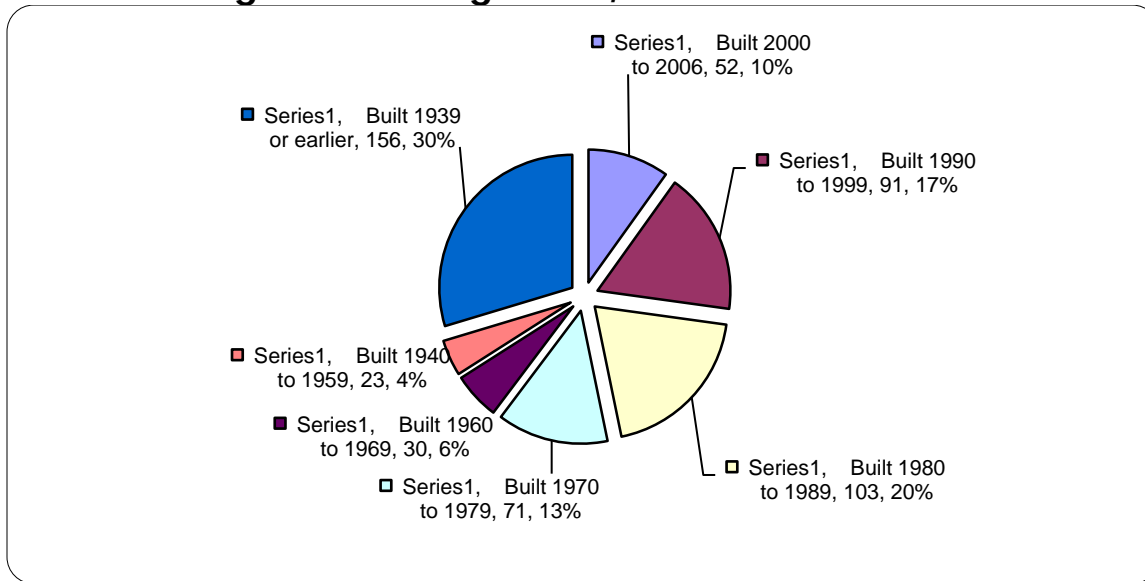
Source: *The Applied Population Lab, Department of Rural Sociology, U. of Wisconsin, Madison, 2004*



Overwhelmingly, the housing stock in the Town is dominated by single-family homes. In 2000 the Town contained 7 two-family units, 1 multi-family unit, and 5 mobile homes. More than half of the houses in the Town were built after 1977, which is comparable to the county as a whole.

Half the housing was built in the interval of 1970 to 1994, which reflects the surge in population that occurred in the same interval. Since 1999, the Town has added about 8 new housing units per year on average. Based on household projections, the Town of Cross Plains expects to have 655 houses in 2025.

Chart 2-2: Age of Housing Stock, 2006



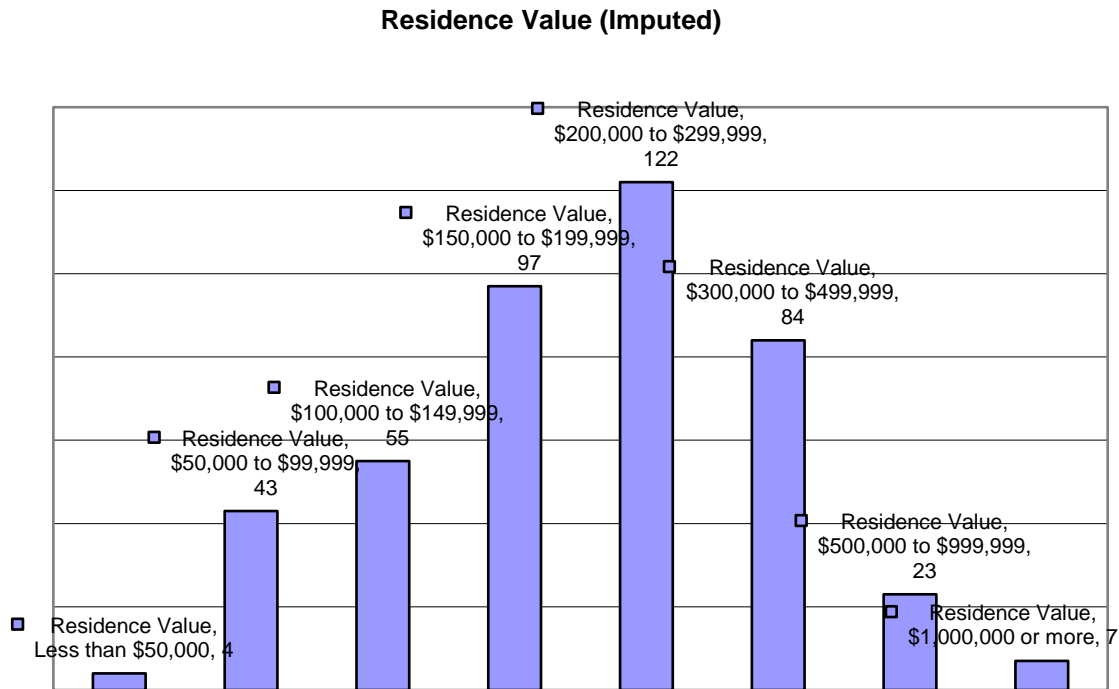
Source: The Applied Population Lab, Department of Rural Sociology, U. of Wisconsin, Madison, 2004 & Town records.

- **Occupancy Characteristics:** Of the 525 housing units in the Town in 2000, 12 were vacant. Renter occupied housing units comprised 66 of the 513 occupied housing units in the Town, 12.9 % of the total housing. The homeowner vacancy rate in the Town was very low at 0.4 % in 2000. According to HUD, a healthy owner-occupied vacancy rate is around 1.5% because it allows residents adequate housing choice.



- **Value Characteristics:** The majority of home values in the Town fell within the \$100,000 to \$300,000 range in the 2000 census. The median value was \$197,400. This is high compared to the rest of Dane County, which had a median home value of \$146,900 (Applied Population Lab, 2007). The 2004 median sales price of a home in Dane County was \$208,615 (South Central Wisconsin MLS, 2004).

Chart 2-3: Housing Values, 2000



Source: *The Applied Population Lab, Department of Rural Sociology, U. of Wisconsin, Madison, 2004*

Overall Density and Lot Size

According to the Town of Cross Plains tax records, in 2006 the Town had an overall density of one residence per 35.2 acres in the Town as a whole, excluding 800 acres of publicly owned land. In terms of lot size, there was an average of 3.1 acres of land assessed as residential for each residence.

Housing Programs

- *Rural Development- USDA:* A federal program with state offices that provides a variety of housing and community development programs for rural areas. Some programs cover, support for rental housing development, direct and guaranteed mortgage loans for home buyers, and support for self-help and cooperative housing development. (<http://www.rurdev.usda.gov/wi/index.htm>)
- *Wisconsin Housing and Economic Development Authority (WHEDA):* Provides mortgage financing for first-time homebuyers, grants for home repair, and financing for multifamily housing. Specific programs change with the needs and demands of the housing market. (<http://www.wheda.com/index.asp>)
- *Community Development Block Grant Program:* Dane County receives CDBG funds on an annual basis for housing, economic development and community service initiatives that benefit people with low to moderate incomes. Approximately \$1

million in CDBG funds are available annually for eligible projects.
(<http://www.co.dane.wi.us/plandev/cdbg/index.htm>)

- *Project Home*: Organization committed to improving the quality and affordability of housing for low- to moderate-income individuals and families in Dane County. Weatherization, minor home repair, and a home loan program are services offered to income eligible customers. (<http://www.projecthomewi.org/>)

Housing Goals, Objectives and Policies:

Goals:

1. Assure quality housing opportunities for town residents.

Objectives:

Maintain current variety of housing types to suit projected demand.

Encourage upkeep of existing housing stock.

Avoid future land use conflicts by carefully siting new residential development.

Policies and Programs:

1. Follow town density policy as outlined in the Land Use Goals, Objectives and Policies. See Chapter 8.
2. Educate town residents about housing rehabilitation programs available through Dane County.
3. Redirect high-density development requiring public transportation, public sewer or public water to Urban Service Areas.
4. Develop policies to promote housing with appropriate services and infrastructure for seniors and young families, while maintaining the rural character of the town.
5. Coordinate housing, land use and transportation plans to make sure they are consistent and appropriate with projected growth.

Chapter 3

CHAPTER 3: TRANSPORTATION

Existing Transportation Network

- **Commuting:** Approximately 24% of the Town's 803 employed workers over 16 years of age work at home or have commute times to work of under 10 minutes according to the 2000 U. S. Census. These are all likely to be persons employed within the Town. The remaining 76% all had commutes of over 10 min duration, and are likely employed outside the Town. The mean commute time for those not working at home was 23 minutes, which is consistent with employment in Madison. Thus, 76% of the Town's working residents commute to work outside the Town. No one reported using public transportation to commute to work. Eighty commuters reported carpooling using a motor vehicle to commute, while 604 drove alone. Sixteen walked to work, and 2 reported using "other means."
- **Roadways:**
 - **Principal Arterials:** U.S. Highway 14 cuts across the northeast corner of the Town and is the only arterial in the Town. It passes through the Village of Cross Plains and provides vehicular access east to Middleton and west to the Villages of Black Earth and Mazomanie. U.S. Highways 18 & 151, although outside the town boundary, serve as arterials for traffic heading from the southern portion of the town toward the Village of Mount Horeb, the City of Verona and the southern portion of the Madison Metropolitan Area.
 - **Collectors:** County Highways KP, P and S (Mineral Point Road) function as major rural collector roads for the Town as does Airport Road. In the northern part of the Town, Highway KP runs east-west from the Village of Cross Plains to the Village of Black Earth. Airport Road runs east-west across the northeast corner of the Town, from the Village of Cross Plains to the City of Middleton, where it connects to the Beltline. Highway P runs north-south through the center of the Town from the Village of Cross Plains in the north, and connects with Highway S to continue on to the Village of Mount Horeb in the south. Highway S (Mineral Point Road) runs east-west, from Pine Bluff in the west where it meets with Highway P in the south-center of the Town, to the City of Madison to the east where it connects to the Beltline. Timber Lane is a north-south minor rural collector on the eastern border of the Town that connects to another minor rural collector, Old Sauk Road, which runs east to the City of Madison and links to the Beltline. Other routes with significant collector traffic include County Highway J, Old Military Road and Stagecoach Road.
 - **Town Roads:** The Town has 44 miles of dedicated town roads within the Township. Maintenance, repair and snow removal for the Town roads is performed by the Town. This expense is the largest single expense category in the Town annual budget, and currently costs about

\$236,000.00 in a typical year, or 41% of the Town budget. This works out to an annual expense of about \$5,365.00 per mile of Town road.

- *Bicycles and Pedestrians:* The Town does not contain any specified on- or off-road bicycle trails, but roads on which bicycles are easily accommodated have been identified on the County Bicycle Trails and Shoulder Elevations map (Map 3-1), as are roads that are unsuitable for bicycle traffic within the Town. The *Dane County Parks and Open Space Plan* includes a Black Earth Creek off-road bicycle trail that would parallel the route of Highway 14 along the northern boundary of the Town, and link up with other County and State bicycle trails. The state Military Ridge Trail, an off-road trail connecting Madison and Dodgeville, runs just south of the town line.



- *Rail:* The Wisconsin & Southern Rail Road Company has an active rail line that runs through the northern part of the Town along Highway 14. It has a siding in the Village of Cross Plains and provides rail cargo service between the City of Madison, and Middleton to the east and other cities and villages to the west. The City of Madison, and Dane County are currently exploring the feasibility of using this rail corridor for commuter rail or light rail transport.



- *Transit and Services for the Disabled:* Because of its low population density, there are no transit services in the Town. Madison Metro in the City of Madison provides the closest public transportation services. The Dane County Health & Human Services Department supports a number of specialized transit services that are available countywide. Northwest Dane Senior Services also provides transportation for the elderly.
- *Trucking and Water Transportation:* Truck traffic utilizes the several highways that run through the Town. Most east-west truck traffic travels on Highway 14. Most north-south truck traffic in the Town travels on County Highway P. A large gravel extraction site on Stagecoach Road generates heavy truck traffic that exits onto Highway 14 or alternatively County Highway P. A quarry operation generates heavy truck traffic that enters County Highway S at Dresden Road. A mineral extraction site on County Highway KP also generates truck traffic. Because no significant water bodies exist in the Town, water transportation is not available.
- *Snowmobile Trails:* According to information provided by the Dane County Council of Snowmobile Clubs, the Town of Cross Plains is served by one major snowmobile corridor and two privately maintained snowmobile trails. Corridor 21 runs generally north and south through the town, connecting with the east-west Corridor 38 and the Military Ridge Trail south of the town line. Snowmobile Trails 69 and 71, maintained

by the private Speedway Snowmobile Club, provide connections between Corridor 21, local businesses and trails north and west of the town.

- *Airports:* There are no airports within the town. Dane County Regional Airport in Madison, approximately 15 miles east, provides domestic national commercial air passenger and freight services.

Applicable State and Regional Plans

- *Regional Transportation Plan 2030 (2007):* Developed to provide an integrated all-mode approach to transportation in Dane County. A planning horizon until 2030 is considered in the plan. While the plan focuses on the more urbanized areas of the county, mention of plans and goals for neighboring areas may be useful when the Town considers transportation issues.
- *Dane County Bicycle Plan (2000):* Recommends bicycle facility improvements for Dane County. The plan includes recommended on-road bicycle improvements to U.S. Highway 14 and County Trunk Highways KP, S and P.
- *Transportation Improvement Program (TIP) (2005):* Although the town of Cross Plains does not fall entirely within the metropolitan planning boundary, this 5-year transportation system improvement plan developed by the Madison Metropolitan Planning Organization (MPO), will indirectly impact the town as it includes improvements for the systems in the cities of Madison and Sun Prairie.
- *The Dane County Comprehensive Plan (2008):* This plan contains goals, objectives and policies for transportation countywide.
- *Wisconsin State Highway Plan (currently being updated):* This plan will include state highway facilities located in the town (US 14).
- *Dane County Regional Airport Master Plan:* This plan shows planned changes to the airport and preservation of the surrounding area.
- *State Rail Plan:* The Wisconsin Department of Transportation is currently in the process of updating the State Rail Plan.

Transportation Goals, Objectives and Policies

Goals:

1. Ensure safe and efficient transportation.

Objectives:

- a. Ensure adequate town road capacities and condition to accommodate current and projected automobile, truck, farm equipment, bicycle, pedestrian and recreational vehicle traffic.
- b. Provide adequate town road capacities and conditions in ways that minimize burdens on tax payers.



Policies and Programs:

1. Continue and improve ongoing maintenance of town roads.
 - a. Develop a standardized policy for grading and snowplowing for private drives.
 - b. Develop standard policies for road improvements and maintenance.
2. Evaluate traffic impacts for all development projects and require road improvements where appropriate.
 - a. Improve and upgrade town roads that have experienced high traffic volume to improve safety, such as Old Military, Observatory, Stagecoach and Airport Roads and West Mineral Point Road (County Highways S & P). Redirect traffic where possible.
 - b. Improve safety related to large grain and other agricultural vehicles on town roads.
 - c. Plan ahead to avoid excessive stoplights and maintain mobility and speeds on Mineral Point Road.
3. Continue to allow adequate access for new residences, without impairing mobility or safety.
 - a. Manage driveway access to make sure rural road speeds and mobility is maintained.
 - b. Avoid degradation of highway function by allowing too many access points and driveways. (Highway S and intersection of P and J are particular problems).
4. Recognize all applicable state and regional transportation plans.
5. Recognize all transportation policies and programs defined in the *Dane County Comprehensive Plan*.
6. Work with bicycle groups to plan and educate bicyclists and motorists so that all users can use the roads safely.
 - a. Work with biking organizations to identify preferred biking routes. Target safety improvements to identified routes.
 - b. Encourage bicycle organizers to meet with town officials at a public meeting before using town roads.
 - c. Widen shoulders on uphill climbs to accommodate bicycles, where feasible.
 - d. Manage bicycle traffic on Garfoot Road and CTH J, Old Sauk Pass Road, Timber Lane, and CTH KP (among others).



- e. Look at signage, designated bicycle routes and education to direct bicycle traffic to appropriate routes.
 - f. Explore ways to have bicyclists help pay for road improvements.
 - g. Make sure that bicycle use of town roads does not interfere with normal auto, farm and other uses of roads.
 - h. Find ways to manage bicycle traffic for practices prior to major events.
 - i. Work with Sheriff to enforce traffic rules.
7. Work with County Highways and WISDOT to make provisions for future rerouting of Highway 14.
 - a. Encourage WISDOT to manage Highway 14 as multi-modal corridor, that includes mass transit, automobile, pedestrian, bicycle, agricultural and manure equipment, ATVs, snowmobile and horses.
 - b. Manage through traffic from neighboring communities.
 - c. Work with WISDOT to encourage Highway 14 reconstruction, expansion, design or relocation plans that are consistent with the goals, objectives and polices of the *Town of Cross Plains Comprehensive Plan*.
8. Work with Dane County to help meet town transportation goals as appropriate.
 - a. Explore transfer/selling of high-volume town roads to County Highways.
 - b. Consider long-term needs for improvements to Highway S and P to safely accommodate commuter through-traffic.
 - c. Work with Dane County Sheriff and State Patrol to enforce traffic regulations and reduce automobile / equipment / bicycle safety problems.
 - d. Make speed limits 45 mph in both directions at Highways P and S at S-Curve, south of Pine Bluff.
9. Re-evaluate speed limits where there are a lot of residences.
 - a. Manage traffic within Pine Bluff. Work with the Dane County Sheriff to make sure current speed limits on County Highway S are enforced, and coordinate with the Dane County Public Works, Highways and Transportation Department to see if current speed limits are adequate.
10. Continue work with Good Neighbor and Madison Metro to site Park and Ride lots in appropriate locations throughout the town.

Chapter 4

CHAPTER 4: UTILITIES AND COMMUNITY FACILITIES

Existing Utilities and Community Facilities

- *Town Hall:* The town hall is located in the center of the town on County Highways P and S in the community of Pine Bluff (Map 4-2). There is also a recreational park on the town Hall site.

- *Water Supply:* Residents in the town receive their water from private wells. Currently, the town does not offer municipal water service, and does not anticipate offering water service over the 20-year planning period. Municipal water service is available in the adjoining Village of Cross Plains.



- *On-Site Wastewater Treatment:* Disposal of residential and commercial wastewater is handled through on-site wastewater treatment techniques, which include conventional, mound, pressure distribution, at-grade, holding tank, and sand filter systems. The town's building suitability map (Map 4-1) delineates areas most and least suitable for on-site waste disposal systems. Because of the low population density in the town, there is no municipal sewer service. The town believes this will continue to be the case over the next twenty years. Municipal sewer service is available within the Village of Cross Plains, which adjoins the town on its northern boundary.
- *Solid Waste Disposal/Recycling Facilities:* The town contracts with Waste Management Inc. for residential refuse and recycling collection. There is a waste oil collection site located at the Dane County Maintenance Yard on County Highway P within the town. In addition, alternate yard waste and compost sites, (accepting non-woody materials), operated by the Dane County Department of Public Works are



open to all Dane County municipalities and residents.

- *Stormwater Management:* The town follows Dane County's Erosion Control and Stormwater Management Ordinance (Chapter 14 Dane County Code of Ordinances). The Ordinance sets standards for the quality and quantity of runoff from areas under

construction in urban, rural and farm areas where alterations in the landscape may result in changes in the amount and quality of water running off a site.

- *Law Enforcement:* The town falls entirely within the West 3 Dane County Sheriff District .
- *Fire Protection and Emergency Medical Service (EMS):* The Cross Plains - Berry Fire District and Cross Plains EMS primarily serve the northern half of the town, while the Mt. Horeb Fire Department and Mt. Horeb Volunteer Fire Department EMS serve the southern half (Map 4-3).
- *Cemeteries:* There is one cemetery, St. Mary's Cemetery, located in the town.
- *Libraries:* As is typical in towns, no libraries exist in the Town of Cross Plains. However, town residents have access to the libraries in the villages of Cross Plains, Black Earth, and Mt. Horeb. All three of these village libraries participate in the South Central Library Service which provide shared collection access.
- *Schools:* The town is served by three school districts: Middleton-Cross Plains, Mt. Horeb, and Wisconsin Heights (Map 4-4).
- *Parks and Recreational Facilities:* The Wisconsin Department of Natural Resources (WDNR) provides a substantial amount of park and open space land in the town. The WDNR, together with the U. S. Fish and Wildlife Service (USFWS) owns over 800 acres of land in the town, some of which is along Black Earth Creek and provides access for recreational fishing. A newly dedicated Cross Plains State Park provides hiking trails in an oak savanna habitat. Shoveler's Sink is a USFWS reserve for waterfowl breeding habitat that provides recreational land open to the public. At this time, no county parks are located in the town. The Regents of the University of Wisconsin also own land in the town. There is a small recreational park at the town hall in Pine Bluff (see also Public Lands District in Chapter 8).
- *Health Care Facilities:* The town does not contain any health care facilities. The nearest hospital is located in the City of Madison. Nursing homes in the Town of Middleton, Village of Cross Plains, Village of Mount Horeb, Village of Black Earth and Madison metropolitan area all serve Town of Cross Plains residents.
- *Child Care Facilities:* At this time there are no childcare centers in the town. Small, in-home childcare services may exist from time to time.
- *Telecommunications Facilities:* There are three telecommunication towers located in the town (Map 4-2).
- *Power Plants and Transmission Lines:* There are no power plants located in the town. Two 69kV single circuit transmission lines run through the town, one north-south and the other east-west. There are three electrical substations in the town, two located on County Highway P at Stagecoach Road, and the remaining one on Timber Lane. Although current and anticipated needs are met for town, needs for the county as a whole has resulted in major projects planned for Dane County between 2011 and 2015 (Map 4-2).
- *Forecasted needs for utilities and community facilities:* Because the population projections for the Town of Cross Plains anticipate flat or little growth, town residents will not require increased utility or community facility capacity over the next twenty years.

Utilities and Community Facilities Goals, Objectives and Policies

Goals:

1. Provide effective and efficient governmental facilities and services for town residents.

Objectives:

- a. Provide convenient solid waste and recycling services.
- b. As feasible, accommodate recreational facilities of interest to town residents.
- c. Cooperate with other municipalities and governmental agencies to maximize cost-efficient delivery of services.
- d. Recognize objectives of the Dane County Comprehensive Plan for utilities and community facilities, including those for sanitary sewer service, storm water management, water supply, solid waste disposal, on-site wastewater treatment technology, recycling facilities, parks, telecommunication facilities, power plants and transmission lines, cemeteries, health care facilities, child care facilities, police, fire, rescue, libraries, schools and other governmental facilities.

Policies and Programs:

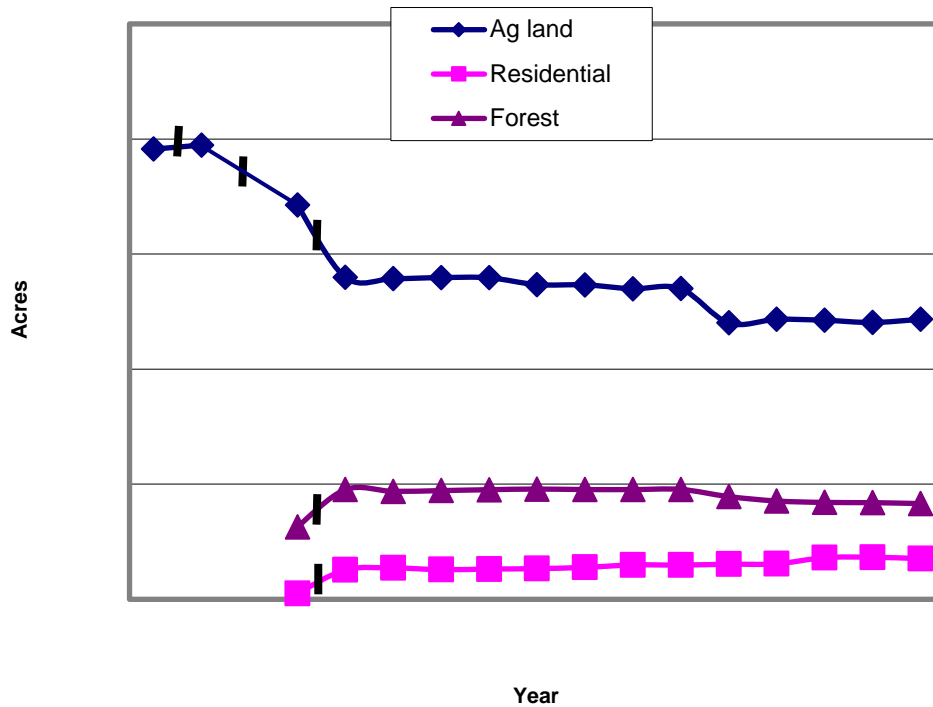
1. Limit development of residential and commercial/industrial uses to densities that are cost-effective to serve.
2. Recognize policies and programs of the Dane County Comprehensive Plan for utilities and community facilities, including those for sanitary sewer service, storm water management, water supply, solid waste disposal, on-site wastewater treatment technology, recycling facilities, parks, telecommunication facilities, power plants and transmission lines, cemeteries, health care facilities, child care facilities, police, fire, rescue, libraries, schools and other governmental facilities.
3. Work to improve uniformity and availability of telecommunication and high-speed internet services to town residents.
4. Encourage pre-planning of utility corridors by towns and the counties. Work with the state legislature to require utility companies to use pre-planned corridors identified in county comprehensive plan, or existing transportation corridors.
5. Develop policies to manage/accommodate wind turbines. Encourage small-scale wind generators. Develop appropriate policies to make sure large wind turbines do not negatively impact rural character, or the environment.
6. Plan and explore future options to manage solid and liquid waste (manure) within the township.
7. Develop policies to manage placement of cell towers and to minimize impacts to rural character and the environment

Chapter 5

CHAPTER 5: AGRICULTURAL, NATURAL AND CULTURAL RESOURCES

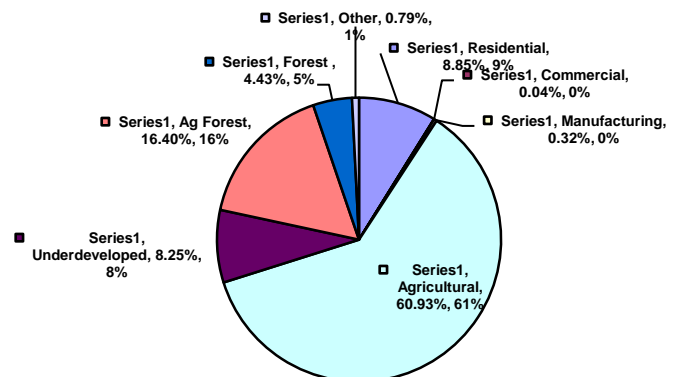
Agricultural Resource Inventory

Table 5-A Town of Cross Plains Land Use by Year



- Historical Trends:* The Town of Cross Plains has a strong agricultural history and the rural character of the Town persists. The Town’s excellent soils classify this area, and most of Dane County, as some of the most productive agricultural land in the Nation (USDA 2005 Agricultural Census). Wisconsin was ranked second among all US states for dairy exports, and third for vegetable exports by the USDA 2005 agricultural census. Among Wisconsin counties, Dane County was first with \$287.6 million in agricultural sales (Marathon County was a distant second at \$205.4 million). In spite of this productivity, the State of Wisconsin has lost one third of its agricultural lands to other uses since 1950 (Wisconsin Working Lands

Chart 5-1: Land Use by Acreage



Initiative, Aug. 2006, WDATCP). Neither Dane County nor the Town of Cross Plains have been immune to this trend; the town has lost more than 25% of its agricultural acreage since 1967 (Table 5-1). In the Town, this loss of agricultural land is the result of both changes in the pattern of land use within the Town, and the annexation of agricultural land by the adjacent Village of Cross Plains.

- *Farming Today:* Over 60% of the Town’s land was agricultural in 2005. This includes row crops, pastures, and idle farmland. Because farming is the Town’s primary activity, land uses that are not compatible with farming operations are discouraged in agricultural areas. Experience has shown that routine agricultural activities often cause noises, dust, odors and hazards to nearby residential development.



- *Farm Size, Scale, and Type:* Commodity crops such as corn and soybeans, along with dairy farming, dominate the Town’s agricultural landscape. Because of the Town’s location in the Driftless Area, there are many steep slopes not suited to row crops, and these slopes are forested or in pasture. According to county level data provided by the USDA Census of Agriculture 2002, a small decrease in the number of farms and the number of acres of farmland in Dane County occurred from 1997-2002 (Table F). Unfortunately, Town level farm summary data are not calculated. However, because the agricultural sector is regionally dependent, the status of agriculture in the county is useful information for making Town level decisions.

Table 5-B: Dane County Farm Summary, 1997-2002

| | 1997 | 2002 | Percent Change |
|---------------------------|---------|---------|----------------|
| Number of Farms | 3,179 | 2,887 | -9.2% |
| Land in Farms (acres) | 559,476 | 515,475 | -7.9% |
| Average Farm Size (acres) | 176 | 179 | +1.7% |

Source: USDA Census of Agriculture, 2002

- *Future Prospects:* Because of the Town’s strong density policy, agricultural practices will likely continue over the next twenty years. National and regional market factors may affect the type of farming in the Town.

Natural Resources Inventory

- *Environmentally Sensitive Areas:* The Town lies entirely within two drainages; the Black Earth Creek watershed to the north, and the Sugar River watershed to the south. Both of these are coldwater streams and are areas of special concern for

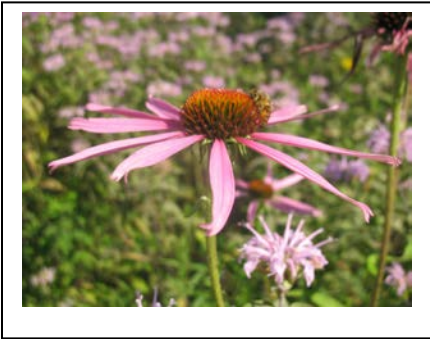
both the WDNR and the Dane County Parks Commission. The Black Earth Creek Natural Resources Area and the conservation corridor along Black Earth Creek run from Shoveler Sink northwest along the course of Black Earth and its floodplain until the Creek leaves the Town of Cross Plains and enters the Town of Berry. At the



southern edge of the Town lies a smaller sensitive area along the course of the Sugar River, which includes a small portion the Leopold-Riley Game Cooperative Natural Resources Area. Shoveler Sink is a wildlife reserve owned by the US Fish & Wildlife Service and managed by the Wisconsin DNR. In addition, there is a small Cross Plains State Park with hiking trails owned and managed by the WDNR. The Ice Age Trail National Scenic Corridor also runs through the northeast quarter of the Town. The National Park Service recently purchased property near Wilkie Gorge. Open space corridors exist around the Sugar River and Black Earth Creek and some of their tributaries in the Town. These corridors overlap with floodplains for 100-year storms. The state limits development in designated 100-year floodplains. The Town's environmental corridors and floodplains are clearly outlined on the corresponding maps (Maps 5-2 and 5-3).

- **Soils:** Only a small portion of land in the Town is classified by the Soil and Water Conservation Society as Type I, II, or III soils. Type I and II soils correspond closely with the U.S. Conservation Service's "Prime Farmland" designation, and Type III soils to the "Farmland of Statewide Importance" designation. These high quality soils are mostly found in the coulees and broad valleys of the Black Earth Creek and Sugar River drainages (Map 5-1). Sections 13, 24 and 25 however have these soils in upland areas.
- **Wetlands:** A number of small wetlands are located in the Town. One is Shoveler Sink, mentioned earlier; another is owned by the Regents of the University of Wisconsin and managed as a scientific reserve by the UW Arboretum (Map 5-2).
- **Groundwater:** In Dane County, groundwater supplies nearly all the water for domestic, commercial and industrial uses. Therefore it is extremely important to protect the quality of our groundwater. Excessive use of road salts, fertilizers, and pesticides and poor maintenance of some animal waste and septic systems can hurt groundwater quality.
- **Wildlife and Endangered Species:** The Wisconsin DNR inventories endangered species and records data on their Natural Heritage Inventory website. The WDNR has classified the Western Harvest Mouse (*Reithrodontomys megalotis*), the Woodland Vole (*Microtus pinetorum*) and Wet-Mesic Prairie Species as sensitive elements in our township. The Western Harvest Mouse is restricted to the Driftless Area in Wisconsin. A plant species of special concern by federal

and state agencies is Glade Mallow (*Napaea dioica*). Wet mesic prairie remnants are found along the railroad bed and the “bottoms” of Black Earth Creek, and include one of the largest stands of Glade Mallow in the state. The Wisconsin Department of Transportation has included this community in its prairie restoration projects and is actively conducting restoration efforts. A number of other species of plant and insect species found in the Town are also species of concern. Sections 2 through 5, Section 16 and Section 34 are all listed as containing one or more rare species. In general, the Town’s wetland and woodland features are important habitats for area wildlife. Careful planning to protect these natural areas should be used (Map 5-3).



- **Woodlands:** Woodlands are scattered throughout the Town; because most are on steep slopes, they form a braided network of wildlife corridors (Map 5-3). While many wooded areas are small, contiguous blocks of woodland comprising stands of 20 acres or more are fairly common in the northern part of the Town. For example, most of sections 16 and 9 are forested, and these sections adjoin. Forested land comprises 20% of the land area in the Town, second only to agriculture in area of land use.
- **Metallic/ Non-Metallic Mineral Resources:** There are no known metallic mineral resource deposits in the Town. However, hard dolomite stone underlies the hills in the Town, and there are several stone quarries as well as a large gravel extraction site adjacent to Black Earth Creek (Map 5-4). The deposits at these sites will eventually be exhausted, at which time these sites must be reclaimed in some manner and converted to other uses. Final land uses should be consistent with the goals, objectives and policies of this plan.

Cultural Resources Inventory

Historic Sites: Of the fourteen buildings identified in the 1970’s by the Wisconsin Historical Society, Table 5b shows those still standing. Many structures now have new addresses and fire numbers, so the WHS number is shown with them. Of special interest is the Haney Tavern (built in 1840 by the same architects who built Madison’s first capitol), which was the scene of much revelry in the town. In Pine Bluff, St. Mary’s Catholic church (1888) remains an active parish and community center, though the original structure burned down and new buildings have been added.

Table 5C: Historic Architectural Resources in Town of Cross Plains

| Ahi# | Section# | Street Address | Building Type | Status |
|--------|----------|-----------------------|-------------------------------|-----------------------|
| 4789 | 11 | 8310 Stagecoach Rd | former stone tavern | private owner |
| 4791 | 13 | 8075 Old Sauk Pass | stone house | National Park Service |
| 4792 | 14 | 4264 N. Birch Trail | stone house | private owner |
| 4794 | 22 | 3774 Cty Hwy P | stone house | private owner |
| 4795 | 23 | 3817 Birch Trail | clapboard house | private owner |
| 4796 | 24 | 3881 Timber Ln | former Cleveland School house | part of larger house |
| 4797 | 27 | 3673 Cty Hwy P | St. Mary's RC Church | active use |
| 4799 | 34 | 3477 Valley Spring Rd | former cheese factory | private home |
| 4800 | 36 | 8058 Coray Lane | Railroad cars/home | private owner |
| 136938 | 04 | 8926 Hwy 14 | farm house | private owner |
| 136939 | 04 | 8926 Hwy 14 | wood barn | private owner |

Of further historical and cultural interest is the UW Pine Bluff Observatory, built in 1958 when the lights in Madison diminished the usefulness of the Washburn Observatory on the campus.



The University bought 53 acres in section 16 for the facility, wanting to limit any future development nearby so that the light pollution could be avoided.

- *Archaeological and Burial Sites:* Under Wisconsin law, Native American burial mounds, unmarked burials, and all marked and unmarked cemeteries are protected from intentional

disturbance. The Wisconsin Historical Society maintains a list of archaeological sites and cemeteries referred to as the Archaeological Site Inventory (ASI). The Archaeological Site Inventory (ASI) is the most comprehensive list of archaeological sites, mounds, unmarked cemeteries, marked cemeteries, and cultural sites available. The ASI does not include all of the sites and cemeteries present in the state, however. It includes ONLY those sites that have been reported to the Wisconsin Historical Society.

Detailed ASI information is confidential and is not subject to Wisconsin's open records law (Wis. Stats. §§ 44.48 and 157.70). This information is also protected by Federal law (Section 304 of the National Historic Preservation Act, Section 9(a) of the Archaeological Resources Protection Act of 1979). This caution not only helps protect archaeological sites but also protects landowners since private landowners own the majority of archaeological sites in the Town.

The ASI identifies 51 archaeological sites and cemeteries within the Town of Cross Plains. While no systematic survey has been completed, the recorded sites include:

- Cemeteries – unmarked graves,
- Burial mounds

- Effigy mounds
- Cave/Rock shelters
- Campsite/villages
- Military Sites
- Farmsteads

No sites are listed on the National and State Register of Historical Places, but many sites in the Town certainly may be eligible and are important.

- *Community Design:* The town incorporates general community design guidelines. When reviewing development proposals, the Town and property owners will consider the following objectives of the Town:
 - Minimize disturbance of productive agricultural land
 - Minimize disturbance of sensitive natural areas
 - Minimize number and length of driveways

See *Chapter 8: Land Use* for detailed design and siting criteria.

Agricultural Resource Goals, Objectives and Policies:

Goals

1. Preserve productive farmlands in the town for continued agricultural use.
2. Keep farming economically viable in the Town of Cross Plains through the 21st century.
3. Maintain the rural character of the town.

Supporting Objectives:

- a. Protect farm operations from conflict with incompatible uses.
- b. Limit nonfarm development consistent with town density policies.
- c. Direct nonfarm development away from productive agricultural lands.
- d. Support efforts to expand economic opportunities for farmers.
- e. Maintain large, contiguous blocks of farmland in sufficient acreages to support farm-related businesses, allow for movement of equipment and environmentally safe disposal of manure.



Policies

1. Limit nonfarm uses in agricultural preservation districts to one unit per 35 acres owned as of 12/26/1981 (see *Chapter 8: Land Use, II. Agricultural Preservation District, Policy 1*).
2. Minimize conflicts with agriculture by directing development away from productive agricultural lands and environmental resources (see *Chapter 8: Land Use, II. Agricultural Preservation District, Policy 2*).
3. Direct development incompatible with agricultural use away from farming areas and toward areas with appropriate public services.
4. Cooperate with other units of government to make local farmers eligible for the farmland tax credit and other programs that encourage continued farming.
5. Town ordinances that restrict noise, odors, keeping of animals, etc. shall not apply to farming activities in agricultural preservation districts.
6. Support farmer participation in cost-share and other programs as described in the *Dane County Land & Water Resources Plan*.
7. Encourage and participate in farmer education programs provided through UW Extension.
8. Consider new tools, such as TDR and PDR, to help protect agricultural lands and provide financial alternatives to developing farmland (See details in Land Use).
9. Work with Dane County to revise county zoning and land division ordinances to support farm operations and agriculture-related businesses.
10. Support livestock operations that meet county, state and federal requirements.

Mineral Resource Goals, Objectives and Policies:

Goals

1. Make sure mineral extraction operations protect public health, safety and the environment and are consistent with the goals and objectives of this plan.
2. Limit conflicts between mineral extraction and incompatible uses.

Supporting Objectives:

- a. Establish clear, consistent policies for conditional use permits for mineral extraction operations.
- b. Work closely with Dane County to review and provide appropriate conditions for proposed mineral extraction operations.
- c. Discourage development that would conflict with existing mineral extraction operations.

Policies

1. Work with Dane County to revise the county zoning ordinance to establish objective



- criteria for mineral extraction operations.
2. Help identify significant mineral deposits within the town and inventory inactive unreclaimed mineral extraction sites.
 3. Review conditional use permits for new or expanded mineral extraction sites and develop recommended conditions based on the nature of the proposed operation, the location, topography, environmental features of the site, and public comment received. Work with Dane County as necessary to develop specific conditions related to, at a minimum:
 - Hours of operation;
 - Conditions on schedule, notification and nature of blasting (if any);
 - Truck traffic and safe routes for material hauling;
 - Other uses on the site, such as crushing or asphalt production;
 - Fencing, screening and warning signs on the site, and;
 - Final use of any reclaimed sites, consistent with other goals, objectives and policies of this plan.

Natural Resource Goals, Objectives and Policies:

Goals

1. Protect important natural features such as significant woodland and grassland areas, floodplains, wetlands, endangered species habitat and steep slopes.
2. Provide sufficient parks and outdoor recreation areas to meet the needs of town residents.
3. Preserve the rural and scenic character of the town.
4. Protect and where possible, improve surface and groundwater quality.
5. Provide for sustainable, diverse hunting, fishing, wildlife observation and other outdoor activities within the town.
6. Support and encourage voluntary stewardship of private and public lands and respect private property rights.

Supporting objectives

- a. Establish a resource protection district, with policies to help protect sensitive environmental areas, including floodplains, wetlands and steep slopes.
- b. Establish a public lands district, with policies to help foster cooperation with public agencies owning lands in the town and promote consistency with this plan.
- c. Make sure development uses best practices to minimize impacts to natural land and water resources.
- d. Direct development requiring public sewer and water to designated Urban Service Areas.
- e. Where possible, limit fragmentation of valuable natural resources and try



to connect separated wildlife habitats to maintain robust viable populations.

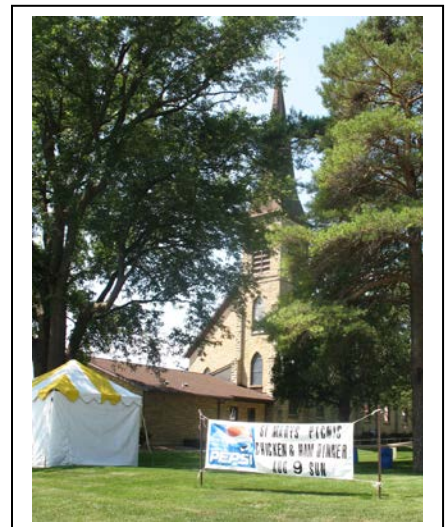
Policies

1. Guide the location and design of development in a manner that will minimize any adverse impact on the quality of surface waters, aquifers, wetlands, woodlands, and agriculture.
2. Support and coordinate with Dane County on erosion control, stormwater, floodplain, wetland and shoreland regulation.
3. Support cost-share, farm conservation plans and other efforts described in the Dane County Land & Water Resources Plan.
4. Work cooperatively with municipal, county, state and federal public agencies and nonprofits owning land in the Town to,
 - participate in public acquisition planning processes;
 - develop agreements on future use of existing public lands;
 - assure input from Town officials and citizens, and;
 - provide a better understanding of financial resources and funding mechanisms available for land acquisition and management.
5. Identify funding sources for development and ongoing maintenance before creating any new town parks.
6. Consider TDR, PDR and other programs to protect natural resources and give landowners alternatives to development. Give priority to tools and incentives that encourage voluntary, permanent conservation of high-priority planned conservation areas such as the Ice Age Trail Corridor, Black Earth Creek Water Quality Corridors and lands identified in the *Dane County Parks and Open Space Plan*. (see Map 5-5).
7. Consider establishing design and development guidelines to protect the rural character of the town, and avoid environmental impacts. Guidelines could include policies related to:
 - Protecting dark skies at night, such as requiring downward-directed lighting;
 - Managing development on steep slopes to reduce impacts to scenic vistas and prevent erosion.
8. Work with incorporated communities, Dane County, CARPC and the DNR to make sure Urban Service Area expansions are directed away from highly sensitive natural areas such as Black Earth Creek.

Cultural Resource Goals, Objectives and Policies:

Goals and Objectives:

1. Encourage identification, protection, interpretation and maintenance for all significant archaeological sites in the town.
2. Encourage identification, protection, preservation and restoration of buildings, structures and sites



which represent or reflect elements of the town's cultural, social, economic, political and architectural history.

3. Help increase public awareness and appreciation of the town's historic and archaeological resources.

Policies and Programs:

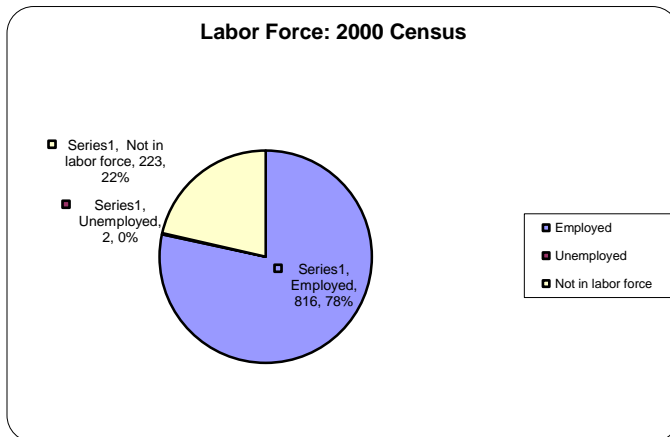
1. Support local, county, state and federal historic preservation efforts.
2. Support efforts to help provide restoration grants to willing owners of historic properties.
3. Support efforts to document and research historic and archaeological sites in the town.
4. Work with the town historian, the Pine Bluff Historical Society, other historical societies and residents to educate and provide interpretation of town historic sites.
5. Support local festivals, ethnic celebrations, farm tours, farm breakfasts, and markets that celebrate the town's history, heritage and rural way of life.

Chapter 6

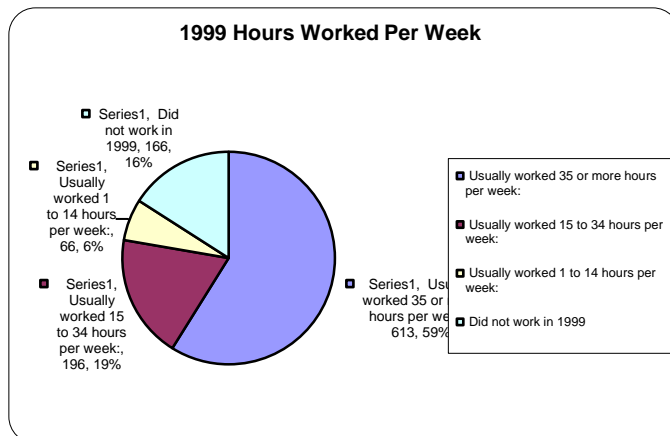
CHAPTER 6: ECONOMIC DEVELOPMENT

Economic Base

- Labor Force and Hours Worked:** According to the 2000 Census, of the Town of Cross Plains' 1,041 work-age residents, 816 (79%) were employed, 2 (less than 1%) were unemployed and looking for work, and 223 (21%) were out of the labor force.



Of the town's 1,041 work-age residents: 613 (59%) worked 35 hours per week or more in 1999; 196 (19%) worked between 15 to 34 hours per week in 1999; 66 (6%) worked between 1 and 14 hours per week in 1999; and 166 (16%) did not work in 1999.



- Major Industries and Occupations:** As of the 2000 Census, 47% of Town of Cross Plains residents were employed in the "Management, Professional and Related Occupations" sector, compared with only 23% in 1990. In contrast, employment in the "Farming, Fishing & Forestry" sector declined from 14% of the town workforce in 1990 to 16% in 2000. Over the same period, jobs in the "Service" and "Production, Transportation and Material Moving" sectors grew as well, while jobs in the "Sales and Office" and "Construction, Extraction and Maintenance" sectors declined slightly.

Based on 2002 data, there were 30 businesses scattered throughout the Town of Cross Plains. Of those, 28 employed ten employees or less (Map 6-1).

- Economic Vitality:** The unemployment rate was 0.2% in 2000. In 1999, 1.7% of individuals in the Town were below the poverty level. Compared to the other towns in Dane County, the Town of Cross Plains' percentage of residents below the poverty level is less.

Table 6-1: Occupation by Sector, 1990-2000

| | |
|---|-----|
| Usually worked 35 or more hours per week: | 613 |
| Usually worked 15 to 34 hours per week: | 196 |
| Usually worked 1 to 14 hours per week: | 66 |
| Did not work in 1999 | 166 |

Work Experience

| | |
|--------------------------------------|------|
| Total: | 1059 |
| Worked full-time year-round in 1999: | 525 |
| Other: | 534 |

| Occupation | 1990 | 2000 | % Change |
|--|------|------|----------|
| Management & professional | 168 | 382 | 127.4 |
| Service | 77 | 91 | 18.2 |
| Sales and office | 242 | 199 | -17.8 |
| Farming, fishing & forestry | 106 | 51 | -51.9 |
| Construction, extraction & maintenance | 81 | 60 | -25.9 |
| Production, transportation & material moving | 71 | 74 | 4.2 |

Environmentally Contaminated Sites

According to the Wisconsin Department of Natural Resources Bureau of Remediation and Redevelopment, there are two mitigated and closed contaminated sites and one conditionally closed site in the Town of Cross Plains. The town will promote reuse of those sites consistent with state environmental regulations and the land use policies of the *Town of Cross Plains Comprehensive Plan*.



Types of Business Desired by Town

Based on the comprehensive plan survey, Town residents identified farm-based businesses, and small home-based occupations as types of businesses they would like to see in the future.

Strengths and Weaknesses for Economic Development

Because agriculture is the most important economic activity in the town, the many challenges facing modern agriculture could be considered a weakness for economic development. However, the level of agricultural land preservation the town has achieved over the years is an economic strength by keeping agriculture viable in the town. The town's proximity to the Madison Metropolitan Area and access to

employment centers such as the State of Wisconsin government, the University of Wisconsin and Madison-area health, financial and business sectors are a clear strength.

Applicable Economic Development Programs

- *Tax Increment Financing (TIF)*: Recently made available to towns, TIF is a tool for financing local economic development projects. As outlined in Wis. Act 231, town governments may utilize TIF to encourage agricultural, forestry, manufacturing, or tourism projects within their jurisdictions. Details about the specific requirements of the law can be found at: <http://www.dor.state.wi.us/slf/tif.html>.
- *Dane County Community Development Block Grant Program*: This program provides funds for eligible economic development projects such as business counseling, education for small business owners, and loans. (<http://www.co.dane.wi.us/plandev/cdbg/index.htm>)
- *Community-Based Economic Development Program (CBED)*: Provides assistance to local governments in the form of grants for incubator projects, economic development plans, and revolving loan programs. Funds are available through a competitive application process on an annual basis. (<http://commerce.wi.gov/CD/CD-bcf-cbed.html>)

Economic Development Goals, Objectives and Policies

Goals:

1. Encourage economic development opportunities appropriate to the resources, character, and service levels in the town.

Objectives:

- a) Focus economic development efforts on farming, farm-related businesses and services to local residents.
- b) Discourage unplanned, continuous strip development along major roadways.
- c) Support home-based businesses in farming areas where there will be no impact on surrounding properties.
- d) Support the economic health of production agriculture in the town to the extent possible.

Policies and Programs:

1. Allow for local businesses, agriculture-related businesses and home-based occupations that are compatible with surrounding land uses. (See criteria for commercial development in *Chapter 8: Land Use*).
2. Establish policies regarding square-footage, traffic, lighting and design for all commercial and institutional uses and incorporate them into a future update of the town comprehensive plan.
3. Redirect commercial or institutional development requiring public sewer, water, public transportation or other services to an Urban Service Area.

4. Work with Dane County to amend the zoning ordinance to allow a wider range of home-based businesses and cottage industries.
5. Work with Dane County to make sure commercial and agricultural development does not create contamination or waste problems.
6. Investigate potential for future economic development opportunities, and look for new ways for existing businesses to grow in a way that is consistent with the overall goals and objectives of the plan.

Chapter 7

CHAPTER 7: INTERGOVERNMENTAL COOPERATION

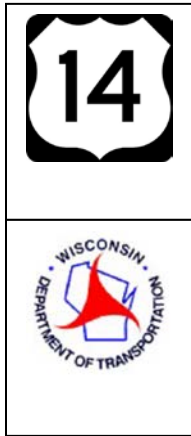
Regional Context

- *Adjacent Towns:* The Town of Cross Plains shares borders with the Towns of Berry, Vermont, Springdale and Middleton.
- *Adjacent Cities and Villages:* The Village of Cross Plains, located in the north-central portion of the Town, has grown 47% in population from 1990 to 2000. The Town is approximately two miles from the Cities of Madison and Middleton to the east, one and a quarter miles from the Village of Black Earth to the northwest, and less than a mile from the Village of Mount Horeb to the southwest. Town residents often commute to the Villages of Cross Plains, Black Earth, Mount Horeb or the Madison Metropolitan Area for shopping, jobs, and entertainment.
- *Dane County:* The Town relies on a number of Dane County ordinances to regulate land use in the Town. Currently, the Town uses Dane County's zoning ordinance, floodplain zoning ordinance, land division ordinance, subdivision ordinance, erosion control and stormwater management ordinance, and shoreland/wetland zoning ordinance. The Town continues to maintain a good relationship with Dane County departments.
- *School Districts:* The Town is served by the Middleton-Cross Plains School District in the northeast, the Wisconsin Heights School District in the northwest, and the Mount Horeb School District in the south.
- *Capital Area Regional Planning Commission:* The Capital Area Regional Planning Commission (CARPC) was created on May 2, 2007 to serve as the regional planning and areawide water quality management planning entity for the Dane County region. Its responsibilities include approval of urban service areas and delineation of environmental and open space corridors. The Commission is composed of thirteen Commissioners appointed by the Mayor of the City of Madison (4), the Dane County Executive (3), the Dane County Cities and Villages Association (3), and the Dane County Towns Association (3).
- *Relevant State Agencies:* The Wisconsin Department of Natural Resources (DNR) owns a substantial amount of land in the town (see Public Lands District in Chapter 8: Land Use), and has regulatory authority over stream crossings and other work in navigable streams. The Wisconsin Department of Transportation (WISDOT) manages US Highway 14, which runs through the northern portion of the town. The town also participates in the Department of Agriculture Trade & Consumer Protection (DATCP)'s Farmland Preservation Program.



- *US 14 Corridor Good Neighbor Committee:* The Good Neighbor Committee was formed in 2005 to better understand concerns and needs along the US 14 corridor. In addition to transportation, the Black Earth Creek Watershed, land use planning, environmental preservation, the Ice Age Trail, and other topics are addressed with outside speakers leading the discussion. The Good Neighbor Committee consists generally of elected and appointed officials although interested residents are encouraged to attend and participate as well. Governments represented are those adjacent to Highway 14 from the western edge of Dane County toward the western edge of Middleton. These include the Villages of Black Earth, Mazomanie, and Cross Plains; the Towns of Berry, Black Earth, Cross Plains, Middleton, Mazomanie, Springfield, and Vermont; and the City of Middleton.

Existing or Potential Conflicts:



The Wisconsin Department of Transportation is reviewing current traffic levels on US Highway 14, with expansion, relocation or a Village of Cross Plains bypass as possible solutions. Depending on its design, access policies and location, future highway expansion or bypass could have significant impacts on:

- natural resources, particularly in the Black Earth Creek and Garfoot Creek Valleys;
- agricultural resources, including productive soils and existing farming operations;
- rural character, by attracting incompatible commercial, industrial or high-density residential uses.

The *Village of Cross Plains Comprehensive Plan (2008)* projects that the majority of the Village's future growth will occur north of the current Village boundaries, into the Town of Berry. The Village of Cross Plains does plan some growth west of the current village boundaries. Urban development in this area is complicated by the floodplains, wetlands and other water resources of Black Earth and Garfoot Creeks.

The adopted comprehensive plans for the Cities of Madison and Middleton and the Villages of Black Earth and Mount Horeb do not show any projected expansion into the Town of Cross Plains within the next 20 years (Map 7-1). Consequently, no potential conflicts are anticipated with these municipalities.

Intergovernmental Cooperation Goals, Objectives and Policies:

Goals:

1. Facilitate and encourage cooperation and communication between all levels of government.
2. Establish a process for mutually beneficial intergovernmental relations with other governmental jurisdictions to promote cooperation and communication.

Objectives:

- a. Maintain good working relationships with adjoining municipalities and other governmental jurisdictions.
- b. Explore opportunities for joint planning and cooperation with other towns, villages, cities, Dane County, and state and federal agencies, including intergovernmental land use, service, and boundary agreements.
- c. Actively seek opportunities for shared public service agreements that improve services and lower costs.

Policies and Programs:

1. Work cooperatively with the Village of Cross Plains to adopt a binding, long-term intergovernmental agreement between the village and the town. Possible issues for negotiation include:
 - annexation limits;
 - recommendations and official mapping of a potential future bypass corridor for US Highway 14;
 - water quality standards and environmental protection for Black Earth and Garfoot Creeks, and;
 - potential for accommodation or collaboration in a comprehensive Transfer of Development Rights program.
2. Continue to actively participate in intergovernmental organizations such as the Good Neighbor Committee, the Dane County Towns Association and events sponsored by the Capital Area Regional Planning Commission, and explore other opportunities to meet with representative from other governments.
3. Continue to actively participate in formal public hearings, workshops, committees and other outreach opportunities sponsored by other governmental units, including Dane County, the Capital Area Regional Planning Commission, the Village of Cross Plains, surrounding towns and state and federal agencies.
4. Provide formal comments and recommendations on proposed municipal, county or state plans, regulations or infrastructure improvements that have the potential to affect the Town of Cross Plains.
5. Work with the Dane County Board of Supervisors to have the *Town of Cross Plains Comprehensive Plan* formally adopted as part of the *Dane County Comprehensive Plan*.

Chapter 8

CHAPTER 8: LAND USE

Existing and Forecasted Land Use

Existing land uses (Map 8-1) and historic trends are described below and listed in Table 8-A. Over the past 25 years, cropland and pasture in the town have declined, while woodlands and single family residential uses have expanded.

- *Agriculture:* In 2005, cropland and pasture accounted for 56.72% of the land area of the town. Conventional farm practices are employed to raise corn, soybeans, and dairy as well as other livestock and crops. Since 1980, cropland and pasture has declined by 3,478 acres (-21%).
- *Woodlands:* Woodlands account for 27.13% of the land area of the town. Woodlands have been expanding in Cross Plains, growing by 1,196 acres (24.5%) between 1980 and 2005.
- *Residential:* The Town maintains a relatively low-density population, with 3.2% of the Town's land occupied by residential use. Single-family residential is the prevalent housing type. Land devoted to residential use has grown by 143 acres (24.7%) since 1980.
- *Commercial:* Commercial retail, services and industrial uses play a very small part of the Town's total land use, totaling only 152 acres (less than 1% of the town's land area), of which 145 acres are associated with existing mineral extraction operations. At this time the Town contains a few limited commercial uses including landscaping, restaurant and tavern, and a few home-based businesses. Any growth in commercial land area has come from the mineral extraction sector, which added 97 acres since 1980.
- *Other Public Uses:* The predominant public use is transportation infrastructure, which consumes 666 acres in the Town, 164 acres more than in 1980. Roadways account for the bulk of this land use.

Table 8-A Land Use by Acreage

| Town of Cross Plains | | | | | |
|-----------------------------|--------------|--------------|--------------|--------------|--------------|
| Acres of Land Use | 1970 | 1980 | 1990 | 2000* | 2005 |
| RESIDENTIAL | 420.0 | 580.1 | 706.8 | 524.8 | 723.2 |
| Single Family | 109.9 | 288.6 | 416.0 | 522.4 | 722.7 |
| Two Family | 0.0 | 2.3 | 17.5 | 0.5 | 0.5 |
| Multi Family | 0.0 | 0.0 | 1.0 | 0.0 | 0.0 |
| Farm Dwelling | 297.9 | 288.1 | 269.3 | 0.0 | 0.0 |
| Group Quarters | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Mobile Home | 12.2 | 1.1 | 3.0 | 1.9 | 0.0 |
| INDUSTRIAL | 10.2 | 48.9 | 102.9 | 122.8 | 146.1 |
| Manufacturing | 10.2 | 0.0 | 0.0 | 1.1 | 0.2 |
| Wholesale | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Extractive | NA | 48.9 | 102.9 | 121.6 | 145.9 |

| | | | | | |
|-----------------------|-----------|--------------|--------------|--------------|--------------|
| TRANSPORTATION | NA | 549.6 | 584.0 | 708.6 | 714.0 |
| Right of Way | 525.4 | 512.4 | 546.9 | 688.3 | 666.0 |
| Railroad | NA | 31.1 | 31.1 | 14.9 | 46.4 |
| Other | NA | 6.1 | 6.0 | 5.5 | 1.6 |

| | | | | | |
|--------------------------------|-------------|------------|------------|------------|------------|
| COMMUNICATION/UTILITIES | 50.4 | 2.4 | 4.4 | 4.4 | 8.6 |
| Generating Processing | NA | 2.4 | 0.6 | 0.5 | 0.5 |
| Transmission | NA | 0.0 | 3.8 | 3.9 | 8.1 |
| Waste Processing | NA | 0.0 | 0.0 | 0.0 | 0.0 |
| Other | NA | 0.0 | 0.0 | 0.0 | |

| | | | | | |
|------------------------------|------------|------------|------------|------------|------------|
| COMMERCIAL RETAIL | 7.6 | 2.3 | 2.5 | 1.8 | 6.4 |
| General Repair & Maintenance | NA | 0.2 | 0.0 | 0.0 | 0.0 |
| Transportation Related | NA | 0.0 | 0.0 | 0.0 | 0.0 |
| Other | NA | 2.1 | 2.5 | 1.8 | 6.4 |

| | | | | | |
|----------------------------|------------|------------|------------|------------|------------|
| COMMERCIAL SERVICES | 0.0 | 5.3 | 1.7 | 1.1 | 0.4 |
| Lodging | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Other | 0.0 | 5.3 | 1.7 | 1.1 | 0.4 |

| | | | | | |
|-----------------------------------|-------------|-------------|-------------|-------------|-------------|
| INSTITUTIONAL/GOVERNMENTAL | 68.6 | 23.3 | 17.8 | 18.3 | 12.0 |
| Education | NA | 11.0 | 0.0 | 0.0 | 0.0 |
| Administrative | NA | 0.0 | 0.0 | 0.0 | 0.0 |
| Cemetery | NA | 8.5 | 7.6 | 0.0 | 0.0 |
| Other | NA | 3.8 | 10.2 | 18.3 | 12.0 |

| | | | | | |
|---------------------------|-------------|------------|------------|-------------|-------------|
| OUTDOOR RECREATION | 35.3 | 4.8 | 7.0 | 13.3 | 10.1 |
|---------------------------|-------------|------------|------------|-------------|-------------|

| | | | | | |
|-----------------------------|----------------|----------------|----------------|----------------|----------------|
| TOTAL DEVELOPED AREA | 1,117.5 | 1,216.7 | 1,427.1 | 1,395.1 | 1,620.8 |
|-----------------------------|----------------|----------------|----------------|----------------|----------------|

| | | | | | |
|--------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| AGRICULTURE & UNDEVELOPED | 21,595.6 | 21,399.1 | 21,078.7 | 21,094.8 | 20,823.5 |
|--------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|

| | | | | | |
|---------------------|-----|----------|----------|----------|----------|
| Woodlands | NA | 4,892.7 | 5,095.3 | 5,597.5 | 6,089.2 |
| Other Open Lands** | NA | 239.0 | 759.3 | 2,882.9 | 1,829.2 |
| Vacant Unused Lands | NA | 8.3 | 40.6 | 55.6 | 41.2 |
| Water | 5.6 | 51.6 | 33.3 | 111.7 | 134.5 |
| Cropland Pasture | NA | 16,207.5 | 15,150.2 | 12,447.2 | 12,729.4 |

| | | | | | |
|-------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| TOTAL AREA | 22,713.1 | 22,615.8 | 22,505.8 | 22,489.9 | 22,444.3 |
|-------------------|-----------------|-----------------|-----------------|-----------------|-----------------|

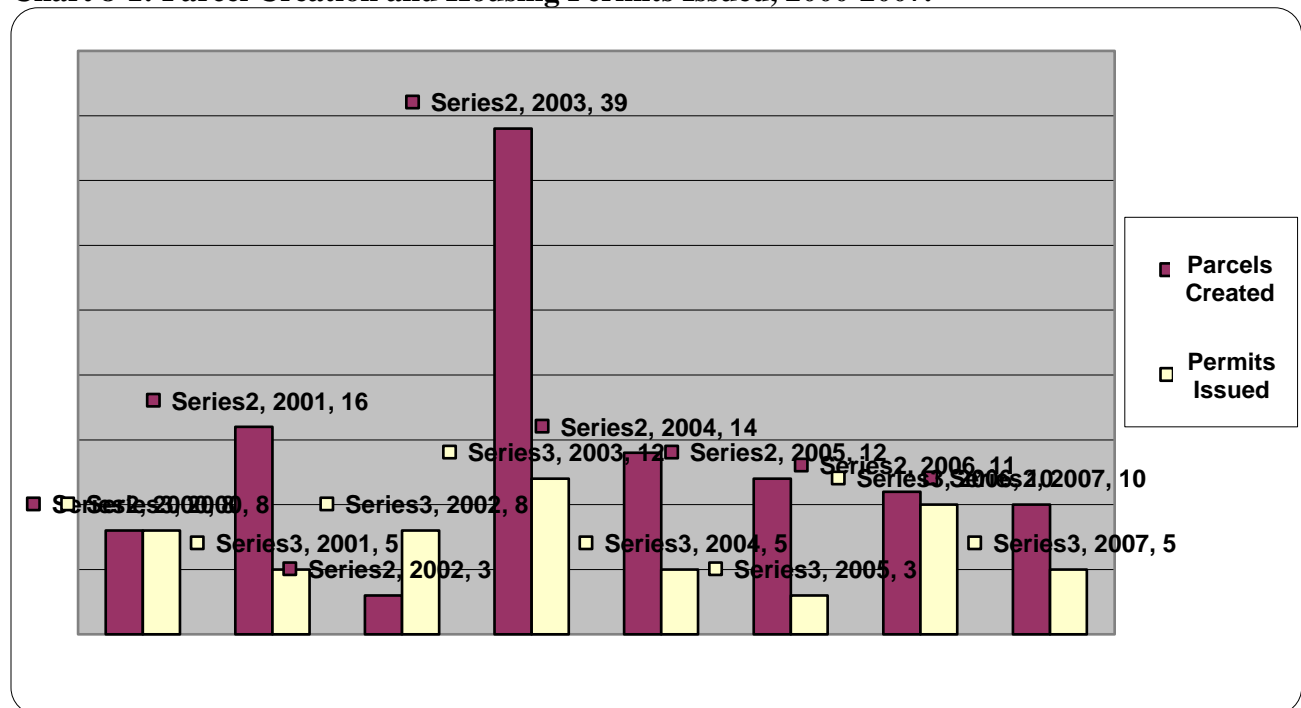
Source: Dane County Regional Planning Commission, 2005

*In 2000, the RPC changed the way agricultural, farm residential and other rural land uses were reported. For a description of these changes, see Appendix A to the draft Farmland Loss Mitigation Report, CARPC (draft, anticipated publication date 2010).

Supply, Demand and Price of Land

The number of parcels created each year determines the rate of development in the Town. The Town has a density policy that allows 1 split per 35 acres of contiguous land owned as of December 26, 1981. Between 2000 and 2007, there was an average of 14 new parcels created each year. Creation of parcels has been by certified survey map, rather than subdivision. See Chart 9 for parcel creation during 2000-2007.

Chart 8-1: Parcel Creation and Housing Permits Issued, 2000-2007.



Source: CARPC Regional Trends Report, 2007

The number of parcels created and housing permits issued has fluctuated from year to year, but aside from a peak of 39 lots created in 2003, has been relatively stable each year (Chart 9). The statistics indicate that demand for non-agriculture related residential development will continue to be satisfied by rural densities permitted under the town’s one unit per 35-acre density policy. Therefore, it is unnecessary for the Town to provide a full range of municipal services now or in the foreseeable future.

The average value of all agricultural land sold in Dane County in 2007 was \$11,430 per acre, down from \$15,754 in 2006. The value of land sold for continued agricultural use averaged \$8,218 per acre, down from \$9,029 in 2006. The value of land sold for non-agricultural use averaged \$23,896 per acre compared to \$18,974 in 2006.

Land Use Projections

Table 8-B shows land use projections for the Town of Cross Plains from 2010 through 2025. Residential land use projections are based on Wisconsin Department of Administration household projections and single family residential acreage per housing unit as reported in the 2005 Dane County Land Use Inventory and the Regional Trends Report, both published by the Capital Area Regional Planning Commission. Agricultural, commercial and other non residential land uses are based on historic trends between 1980 and 2005.

Table 8-B: Land Use Projections in 5-Year Increments

| Land use acres | 2010 | 2015 | 2020 | 2025 |
|--|--------|--------|--------|--------|
| Cropland / Pasture | 11,796 | 10,622 | 9,297 | 7,856 |
| Woodland / Other Open Space | 8,926 | 9,989 | 11,205 | 12,537 |
| Residential | 738 | 769 | 802 | 836 |
| Commercial | 8 | 10 | 12 | 15 |
| Industrial (includes mineral extraction) | 164 | 185 | 207 | 233 |
| Transportation | 752 | 793 | 835 | 880 |
| Institutional / Governmental | 11 | 9 | 8 | 7 |

Source: WI DOA Household Projections, Dane County Regional Trends Report, Dane County Land Use Inventory 2005.

Land Use Conflicts

Land use conflicts in the town can arise from:

- poorly planned residential development that is incompatible with nearby agricultural and open space uses;
- commercial development that generates excessive traffic, or is generally incompatible with the rural character of the town, and/or;
- incompatibilities between town, county and city or village plans.

The *Town of Cross Plains Comprehensive Plan* seeks to minimize such conflicts by:

- limiting the overall density of non-farm residential development in agricultural areas;
- establishing siting and design guidelines;
- limiting the nature and scope of commercial activities to those compatible with existing uses;
- redirecting more intensive uses to areas with appropriate municipal services, and;
- supporting intergovernmental cooperation and planning.

Opportunities for Redevelopment

Approximately 7% of the town is developed, so there are limited opportunities for redevelopment. The Town of Cross Plains will support limited redevelopment in the Rural Residential and Pine Bluff Crossroads Districts, provided that any new uses, designs or densities are consistent with the overall goals, objectives and policies for each district.

Land Use Goals, Objectives and Policies:

The Town of Cross Plains is blessed with a diverse rural landscape that includes farms, woodlands, natural river valleys and hillsides. Residents value the rural lifestyle and environmental resources such as the Black Earth Creek. As illustrated by the survey results, Town residents want to retain and enhance these characteristics long into the future. The following land use goals, objectives, and policies reflect these desires and are designed to ensure

the long term quality of life in the Town by preserving farmland, protecting environmental resources, and respecting the property rights and responsibilities of landowners.

I. General Land Use

A. Goals:

1. Preserve the productive farmlands in the town for continued agricultural use.
2. Prevent conflicts between incompatible uses.
3. Maintain the existing number of rural residential districts.
4. Protect the natural environment.
5. Maintain the rural character of the town.
6. Permit landowners to use available splits on their land.

B. Objectives:

- a) Ensure that new development and land use changes are compatible with the Town's agricultural and rural character .
- b) Limit new development to rural densities as described in this plan.
- c) Recognize the environment as an integrated system of land, water and air resources, the destruction or disturbance of which can adversely affect the community by creating hazards, destroying important public resources, or wasting productive lands and renewable resources.
- d) Avoid substantial expenditure of town funds for development.

C. Policies & Programs – General Land Use

1. Provide a sufficient supply and mix of land uses to satisfy Town land use objectives.
2. Promote the redevelopment, reuse or improvement of properties in the area around Pine Bluff.
3. Follow the recommendations and requirements of this Plan when making land use decisions, including, but not limited to: review of county zoning petitions, land divisions and condominium plats.
4. Redirect high-density residential land uses, or other commercial or industrial development usually associated with an urban land use pattern to a designated Urban Service Area .
5. Consider the limited development of subdivisions (5 or more lots less than 35 acres within 5-year period), or condominium plats of 5 or more units, only as part of a town-wide Transfer of Development Rights program adopted as a future amendment to the *Town of Cross Plains Comprehensive Plan*.
6. Minimize development impacts on productive agricultural lands, or those lands with a history of productive farming activity.

7. Limit non-farm residential development to those areas that are not classified as productive farmland.
8. Require agencies and bodies responsible for the location of public improvements such as roadway corridors, pipelines, or power lines to recognize and comply with the agricultural land preservation objectives of the Town.
9. Promote state and local programs that encourage farming, or investment in farming, within the Town.
10. Policies and programs listed above will not be used to prevent the use of available splits.

D. Town Land Use Districts (Maps 8-3, 8-4): The Town has adopted the following 6 proposed planning districts to meet the Town's land use goals and objectives over the 20 year planning period:

- Agricultural Preservation District
- Rural Residential District
- Pine Bluff Crossroads District
- Environmental & Resource Protection District
- Public Lands District
- Urban Service Areas

II. **Agricultural Preservation District**

A. **Purpose:**

The Town has established the Agricultural Preservation District as a means of preserving agricultural lands and rural character throughout the Town while providing opportunities for limited non-farm development. This designation will also serve to promote continued



investment in agricultural operations by ensuring that incompatible land uses are directed to areas that will minimize interference with farming activities. The primary land use policy within this district is the density policy, which limits the density of residential development to one dwelling unit per 35 acres. This district encompasses the most land within the town and includes productive farmlands, farm dwellings and other agricultural land uses, pastureland, woodlots, and scattered non-farm single-family dwellings. The policies for this district allow for a limited amount of non-farm residential and commercial development in keeping with the overall goals and objectives of the Town to preserve agriculture and rural character.

B. **Objectives:**

1. Continue to maintain and encourage production agriculture, agricultural-related businesses, forestry, open space, and compatible uses.
2. Protect farm operations from the encroachment of incompatible uses.
3. Limit nonfarm development consistent with town density policies.
4. Direct nonfarm development away from productive agricultural lands, provided it will not prevent the landowners' use of available splits.
5. Maintain and promote eligibility for county, state and federal programs, grants, incentives, cost-share funding and tax credits designed to support farming and maintain land in agricultural use.

C. **Appropriate Zoning Districts:**

- A-1[ex] (Exclusive Agriculture)
- A-4 (Small-Acreage Agriculture)
- A-B (Agricultural Business)
- CO-1 (Conservancy)
- RE-1 (Recreational)
- TDR-S (Transfer of Development Rights - Sending Area) Overlay

For nonfarm development permitted under town density & siting policies:

- A-2, A-2(1), A-2(4), A-2(8) (Agriculture)
- RH-1, RH-2, RH-3 (Rural Homes)
- LC-1 (Limited Commercial), with appropriate conditions as needed to meet the objectives of the *Town of Cross Plains Comprehensive Plan*
- TDR-R (Transfer of Development Rights - Receiving Area) Overlay

D. **Policies & Programs – Agricultural Preservation District:**

1. **Density Policy** – Within the Agricultural Preservation District, the density policy will serve as the primary tool for meeting the town’s land use objectives to maintain rural character and preserve agricultural land. The density policy limits the amount of non-farm development and will be used to guide Town decisions when considering rezones out of the A-1EX district.

- a) **Density limitation:** The density of non-farm development is limited to one non-farm use (also referred to herein as, “split” or “density unit”) per 35 contiguous acres held in single ownership as of December 26, 1981 (Map 8-5). The density limitation shall apply to residential development, and to other forms of development, including;

- non-farm commercial development created after the date of adoption of this comprehensive plan, and;
- sales of land or easements to public entities unless otherwise indicated in sales contracts, deeds, or recorded agreements.

The density limit on any one December 26, 1981 farm may be reduced or increased subject to the town’s Transfer of Development Rights program as described in Section VIII.

Example: The density standard of one dwelling unit or non-farm use per 35 acres of land owned as of December 26, 1981 means that a 140-acre farm as of that date would be eligible for up to 4 new lots for non-farm development if all other plan policies were met. This policy is not meant to require or encourage 35-acre dwelling unit lots; rather landowners are encouraged to create smaller clustered dwelling unit lots on less productive soils.

- b) **Rounding:** The Town shall “round up” to the nearest whole number when a density calculation results in a remaining fraction over ½ (50%). For example, a 12/26/1981 farm unit totaling 56 acres would be eligible for a total of two nonfarm development sites ($56 / 35 = 1.6$, rounded up to 2).
- c) **Determining original 12/26/1981 farm units:** The Town will utilize the 1981 Land Atlas and Plat Book for Dane County by Rockford Map Publishers, Inc., as a guide to determining original farm ownership and acreage as of December 26, 1981. Parcel size will be based on gross acreage, which includes road and other public rights of way, as calculated by the Dane county GIS system (Map 8-5). Landowners or applicants for rezoning proposals may submit more detailed information for consideration, such as recorded deeds or surveys.

An original farm unit or parcel is defined as contiguous lands in single ownership as of December 26, 1981. For the purposes of this policy, single ownership is defined as parcels owned by one individual or by a married couple, partnership, or corporation including that individual. Parcels interrupted by roads, other public rights-of-way, or by navigable waterways shall be considered contiguous for the purposes of calculating allowable density. Parcels meeting at a single point shall be considered contiguous.

- d) **Eligible lands:** When calculating original farm acreage and eligible density units, all contiguous property under single ownership within the Agricultural Preservation District shall be included. This includes land under water, within mapped wetlands, floodplains, or environmental corridors.
- e) **Farm residences:** Separation of residences built prior to December 26, 1981 shall not count against this density policy. All residences built after December 26, 1981, including residences for farm owners or operators under sections 10.123(2)(b) and (c), Dane County Code, shall count against the density policy, except as provided below.
- f) **Exceptions:** Replacement of a farm residence existing prior to December 26, 1981 shall not count toward the density limitation, provided the previous residence is destroyed or converted to non-residential use. The burden of proof of identifying the construction date rests with the applicant or landowner.
- g) **Duplexes:** Duplexes constructed after the date of adoption of the *Town of Cross Plains Comprehensive Plan* shall count as two density units toward the density limitation. Conversion of an existing single-family residence to a duplex shall count as one additional density unit toward the density limitation. “Dependency living arrangements,” as defined in ss. 10.01(19a) & (19b), Dane County Code, and allowed under a conditional use permit, are not considered a duplex under this policy and do not count as an additional density unit.
- h) **Land transfers after December 26, 1981 and allocation of density units:** Land sales of over 35 acres occurring after December 26, 1981, do not result in new allotments of density units. When land sales of more than 35 acres occur after December 26, 1981 without *clear documentation* or recorded agreement between buyer and seller, or subsequent/current owners, regarding any transfer of splits or

density units, the Town shall utilize the following guidelines when considering allocation of any remaining density unit(s):

- (1) Landowners are encouraged to make clear in recorded documentation, such as a sales contract or warranty deed, that a density unit is being transferred or retained when selling tracts of land over 35 acres. The Town may request that any supporting documentation be included with development or rezone proposals. Supporting documents may include, but are not limited to, sales contracts, warranty deeds, affidavits, and written agreements.
 - (2) Landowners who combine portions of different December 26, 1981 farm parcels in order to obtain over 35 acres are not entitled to a nonfarm density unit.
 - (3) Land annexed into a city or village after December 26, 1981 shall be removed from the original farm acreage when calculating eligible density units.
 - (4) Proportional allocation: In the absence of clearly understood supporting documentation, any remaining splits will be allocated on a proportional basis among current owners of the December 26, 1981 farm unit in keeping with the Town's 1 per 35-acre density policy. Unless the property is approved as a TDR Receiving Area under the policies in Section VIII, the density standard shall not be exceeded on the December 26, 1981 farm unit.
- i) **Transfers of density units:** Transfers of density units between original December 26, 1981 farm units may be considered, subject to the Transfer of Development Rights program described in Section VIII.
- j) **Substandard A-1EX parcels under 35 acres as of December 26, 1981:** (The following policies apply to parcels zoned A-1EX less than 35 acres in size)
- (1) Pre-existing uses on substandard parcels less than 35 acres as of December 26, 1981 shall be permitted to continue as non-conforming uses. The Town may permit rezoning of such parcels to bring the pre-existing use into compliance with the county zoning ordinance, provided that such use is consistent with the overall goals and objectives of the *Town of Cross Plains Comprehensive Plan*.
 - (2) Vacant, legal, substandard (sometimes referred to as "non-conforming") A-1EX zoned parcels between 4 and 35 acres in size in existence since December 26, 1981 are permitted to rezone to an appropriate district and to divide the property by recording a certified survey map to allow no more than 2 single-family homes, provided that the proposed development can satisfy the Town's siting criteria. No parcel so divided shall be re-divided in the future.
 - (3) Substandard, legally created A-1EX zoned parcels between 4 and 35-acre parcels, with one existing residence, may be rezoned and divided by certified survey map to allow no more than one additional single-family home, provided that the proposed development can satisfy the Town's siting criteria. No parcel so divided shall be re-divided in the future. When permitted

divisions of an original substandard parcel are exhausted, the town will recommend to the county board that a deed notice be recorded as a condition of the rezone.

- (4) Illegally created substandard parcels are not permitted to divide. Landowners may be required to obtain a written determination of the legal status of their property from the Dane County Land Division Review Officer.
 - (5) Illegally created substandard parcels with an existing residence may be permitted to rezone to an appropriate district to bring the parcel into compliance, provided the parcel complies with all density and siting criteria of the *Town of Cross Plains Comprehensive Plan*.
 - k) **When density units are exhausted:** When eligible density units for an original December 26, 1981 farm have been exhausted, the town will recommend to the county board that a deed notice, deed restriction or conservation easement be recorded as a condition of the rezone. Portions of the property intended to remain in agricultural use shall be zoned A-1EX or A-4. Any agricultural conservation easement will be only for the limited purpose of assuring the availability of real property for agricultural use and shall not include any requirements for public access or restrictions on agricultural or forestry practices. This restriction on agricultural conservation easements shall not preclude agriculture or forestry practice regulations under county or town ordinances.
1. **Development siting standards & criteria:** The Town shall use the following siting standards and criteria when reviewing proposed non-farm rezones or development. Development siting standards will not be used to prevent the use of, or reduce the number of, splits allocated under the town density policy.
 - a) Buildings should not be placed in wetlands, floodplains, hydric soils, soils with low or very low potential for dwellings with basements. (See also Environmental and Resource Protection District, below.)
 - b) Within the Agricultural Preservation District, the minimum parcel size for proposed new lots shall be 2 acres, exclusive of right-of-way. Nonfarm zoning parcels shall be the minimum size necessary to accommodate the proposed use, while meeting town driveway standards, minimum road frontage and other criteria of the town comprehensive plan. *NOTE: The town's density policy does not require 35-acre residential lots.*
 - c) Building sites shall be located to minimize disturbance of productive agricultural soils, and to minimize conflicts with existing agricultural use. For the purposes of the *Town of Cross Plains Comprehensive Plan*, productive agricultural soils are soils classified as Group I or Group II under the Dane County Land Evaluation and Site Assessment system (see Map 8-2).
 - d) The Town shall discourage the layout of streets or driveways across agricultural land in order to reach non-farm development.

- e) New driveways and roads shall be the minimum length necessary to access the site and should be located to minimize disturbance of productive agricultural soils. All driveways shall be designed and located to be suitable for emergency vehicle access and safe access onto existing roadways. Driveways must comply with the Town Driveway Ordinance, County or State Highway access requirements, as applicable. For driveways longer than 125 feet in length, the town will require proof of compliance with county erosion control and stormwater regulations before a driveway permit will be issued.
 - f) Contractors shall be required to use erosion control measures and return lands to a near normal setting after completion of construction. The Town may require an erosion control and/or stormwater management plan or a preliminary review letter meeting county ordinance standards as a condition of approval.
 - g) A specific site plan may be required for proposed development, such as, but not limited to, proposed commercial development, or horse boarding facilities. The site plan should show the layout of the proposed lot(s), the location and use of proposed buildings, parking area(s), and driveway access. Additional criteria include the following:
 - (1) Driveway must provide for safe passage of emergency vehicles.
 - (2) All cuts, fills and erosion problems must be noted and an erosion control plan submitted before a driveway permit can be issued.
 - h) The Commission should review the siting of buildings within the environmentally sensitive areas, such as the Black Earth Creek Water Quality Corridor and other naturally significant areas. Protection of the natural resources in these areas are important in the Town's rezoning and conditional use decisions, provided it will not prevent landowners from using available splits.
 - i) Land division for new development should be by Certified Survey Map. The town will not approve development that requires a subdivision plat under the Dane County Land Division Ordinance (Chapter 75, Dane County Code).
2. **Commercial Development:** The Town shall follow the following policies regarding proposed new, or expansion of existing, commercial development within the Agricultural Preservation District:
- a) To allow limited commercial development as is needed to support existing agricultural activities, provide supplemental income for farm families or provide agricultural-related services. Commercial development must not result in environmental degradation, inappropriate traffic volumes or conflict with farming operations. Commercial uses will be limited to those allowable under the A-B district, LC-1 district or as conditional uses in the Agricultural or Rural Homes Zoning Districts.
 - b) To limit rezoning to that portion of land which is necessary for the commercial use contemplated.

- c) To avoid any substantial expenditure of public funds and the incurrence of municipal debt for the construction or provision of municipal improvements and services usually associated with commercial development.
 - d) To avoid speculation and ensure compliance with previous policies, the applicant must request a specific use. Due to the permitted uses in the A-B Agri-Business and Limited Commercial districts, the Town may recommend to the county board a condition on the rezoning to allow only the specific use as delineated on an approved site plan. This allows the Town to set specific limits and to review any expansion or new uses.
 - e) Any rezone to allow nonfarm commercial use shall count against the town density policy.
3. **Mineral Extraction** – Within the Agricultural Preservation District, the town will consider Conditional Use Permits for new or expanded mineral extraction operations that:
- are consistent with the goals and objectives of the *Town of Cross Plains Comprehensive Plan*;
 - are consistent with agricultural use and farmland preservation, and;
 - adequately protect public safety, rural character and the environment.
- a) Applicants for a new or expanded mineral extraction operation must meet with the town Plan Commission prior to filing a Dane County Zoning conditional use permit (CUP) application. Contact the town Plan Commission secretary to have the proposal placed on the agenda for the next available Plan Commission meeting.
 - b) At least two weeks prior to the scheduled meeting with the town Plan Commission, applicants should complete and provide to the town Plan Commission secretary and the Town Clerk the following documents:
 - (1) all completed application materials, including site plans and reclamation plans, required by the Dane County Department of Planning and Development for a mineral extraction CUP, and;
 - (2) the Town of Cross Plains Mineral Extraction Questionnaire.
 - c) Prior to the scheduled Plan Commission meeting, applicants should review and understand the list of standard conditions for mineral extraction CUPs provided by the Dane County Department of Planning and Development, as well as the reclamation standards required under Chapter 74, Dane County Code. Proposed land uses after reclamation must be consistent with the *Town of Cross Plains Comprehensive Plan*, including density policies.
 - d) Copies of required application materials, the town questionnaire and standard conditions are contained in Appendix 2.
 - e) After the applicant files a conditional use permit with Dane County, the Plan Commission may recommend appropriate conditions to the town board based on

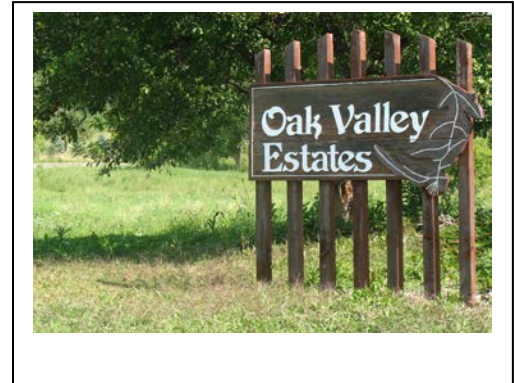
the Mineral Extraction Questionnaire, county standard conditions and any public input received. At its discretion, the Plan Commission may choose to delay making a recommendation to the town board until after the county public hearing.

- f) The town will work with owners of old extraction sites, neighbors and the Dane County Zoning Division to encourage clean-up and reclamation of abandoned and nonconforming mineral extraction sites.

III. Rural Residential District

A. Purpose:

The Town has established the Rural Residential District to accommodate existing residential development within existing subdivisions and the western portion of the unincorporated hamlet of Pine Bluff. The town may consider limited redevelopment, re-division or reuse of existing parcels in the Rural Residential District, as part of the town's Transfer of Development Rights program, and where such development would further other goals and objectives of the *Town of Cross Plains Comprehensive Plan*. The Rural Residential District is not intended to accommodate significant new growth.



B. Objectives:

- a) Accommodate existing residential subdivisions.
- b) Promote limited, efficient and compact development and allow for appropriate redevelopment opportunities.
- c) Explore the use of conservation design, Transfer of Development Rights, site planning, design review and other techniques to ensure compatibility with agricultural, natural resource and open space use, and with neighboring communities.

C. Appropriate Zoning Districts:

- R-1, R-1A, R-2, R-3, R-3A (Residential)
- RH-1, RH-2 (Rural Homes)
- CO-1 (Conservancy)
- RE-1 (Recreational)
- TDR-R (Transfer of Development Rights – Receiving Area) Overlay

D. Policies & Programs – Rural Residential District

1. Land Division, Re-division or Redevelopment: Within the Rural Residential District, division or re-division of parcels, conversion to multi-family use, or any other increase in residential or commercial density is permitted only as part of the town's Transfer of Development Rights program (Section VIII). Proposed lots or units must meet all of the following criteria before the town will approve development or redevelopment applications:
 - Lots must be in the TDR-R overlay zoning district;
 - Landowners must present evidence, in the form of a conservation easement recorded with the Dane County Register of Deeds, that they have secured one development right from an appropriate agricultural parcel in the TDR-S overlay zoning district for every new lot or unit proposed in the Rural Residential District;

- Proposals must comply with all TDR standards for receiving areas in Section VIII, as well as with all design and public improvement standards in this section.
2. **Minimum lot size:** Within the Rural Development District, any new or re-divided unsewered lot must be at least 1.5 acres in area, excluding right of way, except as described below.
 - a) New or re-divided non-sewered lots may be reduced to no less than 20,000 square feet, provided:
 - (1) the applicant provides a letter from the Capital Area Regional Planning Commission indicating that the proposed development would not result in unsafe levels of nitrate pollution, OR;
 - (2) the Madison/Dane County Department of Public Health approves an onsite or community wastewater treatment system that reduces nitrate effluent to acceptable levels.
 - b) County zoning, shoreland zoning or land division ordinances may require larger lot sizes.
 3. **Lot design and public improvements:**
 - a) All new or re-divided lots in the Rural Residential District must comply with all provisions of Chapter 75, Dane County Code, including a minimum frontage of 66 feet onto a public right-of-way.
 - b) Any new public road dedications must have a surveyed and recorded right-of-way that conforms to all standards of the Dane County Land Division Ordinance (Chapter 75, Dane County Code) and any applicable Engineering standards of the Town of Cross Plains. No cul-de-sacs or dead-end roads will be permitted.
 - c) Road construction and paving must meet all standards of the Town Engineer before any new dedication will be accepted. The Town of Cross Plains will not accept maintenance responsibility for any new public road until 80% of the development is complete and the Town Engineer has certified that the road meets town standards. Financial securities to ensure road completion to town specification will be required, as provided in Chapter 75, Dane County Code.
 - d) Any property owner or developer who divides or subdivides land must pay for and install, to Town specification, necessary public improvements such as streets, intersections, storm sewers, water supply systems, sidewalks, and streetlights.
 - e) Any property owner or developer who divides or subdivides land for residential purposes must provide adequate park, playground, recreation and open space to meet the needs created by and to be provided for their land division.
 - f) The town may require a preliminary review letter, or other proof of compliance with the Dane County Erosion Control and Stormwater Ordinance (Chapter 14, Dane County Code) before approving any land division.

- g) Land division for new development should be by Certified Survey Map. The town will not approve development requiring a subdivision plat under the Dane County Land Division Ordinance (Chapter 75, Dane County Code).

IV. Pine Bluff Crossroads District

A. Purpose:



The Town has established the Pine Bluff Crossroads District (Map 8-4) to accommodate existing residential development, civic and community facilities and local businesses near the intersection of Mineral Point Road (County Trunk Highway S) and County Trunk Highway P in the unincorporated hamlet of Pine Bluff. The town may consider limited expansion of existing commercial uses, redevelopment, re-division or reuse of existing parcels in the Pine Bluff Crossroads District, as part of the town's Transfer of Development Rights program, and

where such development would further other goals and objectives of the *Town of Cross Plains Comprehensive Plan*. The Pine Bluff Crossroads District is not intended to accommodate significant new growth or intensive commercial use.

B. Objectives:

- a) Accommodate existing residential, local business and mixed-use development.
- b) Maintain Pine Bluff as the historic town center.
- c) Allow for limited residential use, local businesses, and community civic and recreational facilities that serve local populations.
- d) Promote limited, efficient and compact development and allow for appropriate redevelopment opportunities.

C. Appropriate Zoning Districts:

- R-1, R-1A, R-2, R-3, R-3A (Residential)
- RH-1, RH-2 (Rural Homes)
- B-1 (Local Business)
- CO-1 (Conservancy)
- RE-1 (Recreational)
- TDR-R (Transfer of Development Rights – Receiving Area) Overlay

D. Policies

1. Land Division, Re-division or Redevelopment: Within the Pine Bluff Crossroads District, division or re-division of parcels, conversion to multi-family use, or any other increase in residential or commercial density is permitted only as part of the town's Transfer of Development Rights program (Section VIII). Proposed lots or units must meet all of the following criteria before the town will approve development or redevelopment applications:

- Lots must be in the TDR-R overlay zoning district;
- Landowners must present evidence, in the form of a conservation easement recorded with the Dane County Register of Deeds, that they have secured one development right from an appropriate agricultural parcel in the TDR-S overlay zoning district for every new lot or unit proposed in the Rural Residential District;
- Proposals must comply with all TDR standards for receiving areas in Section VIII, as well as with all design and public improvement standards in this section.

2. Local Business Development

- a) Commercial or business uses are limited to services that predominately serve local residents. To avoid speculation and ensure compliance with previous policies, the applicant must request a specific use. Due to the range of permitted uses under county zoning, the Town may recommend to the county board a condition on the rezoning to allow only the specific use as delineated on an approved site plan. This allows the Town to set specific limits and to review any expansion or new uses.
 - b) The town may also recommend to the county board specific conditions regarding hours or scale of operation, traffic impacts, outdoor storage, noise, lighting or other issues to address particular concerns or to ensure consistency with the *Town of Cross Plains Comprehensive Plan*.
 - c) Any commercial development must be adjacent to existing commercial development.
 - d) Rezoning will be limited to that portion of land necessary for the proposed commercial or business use.
 - e) If accessing a County Trunk Highway, the petitioner must provide a copy of an approved access permit from the Dane County Public Works, Highways and Transportation Department for the specific use proposed. The petitioner agrees to make, at his or her expense, any intersection or access improvements recommended by the county
 - f) The petitioner must submit to the Plan Commission a site plan and a development plan (including hours of operation, anticipated traffic, lighting, etc.). Site plans and development plans must meet all current standards required by the Dane County Department of Planning and Development.
 - g) Commercial or industrial uses requiring public sewer or water, intensive police or fire protection or other public services typically associated with an urban area will be redirected to a designated Urban Service Area
3. **New Commercial or Industrial Uses:** The town will not approve rezones to the C-1, C-2 or M-1 districts for new commercial or industrial uses in the Pine Bluff Crossroads District.
4. **Existing Commercial or Industrial Uses:** The town may approve limited rezones for existing commercial uses in the C-1 or C-2 zoning districts to make minor adjustments in zoning parcel lines or zoning parcel size, or to allow for limited

expansion of existing operations. Such rezones must meet policies a) through g) above and must also meet all of the following conditions:

- (1) Any expansion of an existing commercial use must not exceed 50% of the existing floor area of the principal commercial structure on the lot.
- (2) All existing commercial uses on the site and any proposed expansions must be brought into compliance with all current applicable regulations, codes and standards, including, but not limited to:
 - (3) Parking standards under s. 10.18, Dane County Code;
 - (4) Screening standards under s. 10.16(7), Dane County Code;
 - (5) Sanitary system standards under Chapter 46, Dane County Code and COMM 83, Wisconsin Administrative Code;
 - (6) Stormwater and erosion control standards under Chapter 14, Dane County Code.
- (7) The town will recommend to the county board that deed restrictions be recorded on both the existing and proposed expanded or modified commercial zoning parcel to limit permitted uses, as described in Policy 1a above.

5. Lot design and public improvements:

- a) All new or re-divided lots in the Pine Bluff Crossroads District must comply with all provisions of Chapter 75, Dane County Code, including a minimum frontage of 66 feet onto a public right-of-way.
- b) Any new public roads must have a surveyed and recorded right-of-way that conforms to all standards of the Dane County Land Division Ordinance (Chapter 75, Dane County Code) and any applicable standards of the Town Engineer. No cul-de-sacs or dead-end roads will be permitted.
- c) Road construction and paving must meet all standards of the Town Engineer before any new dedication will be accepted. The Town of Cross Plains will not accept maintenance responsibility for any new public road until 80% of the development is complete and the Town Engineer has certified that the road meets town standards. Financial securities to ensure road completion to town specification will be required, as provided in Chapter 75, Dane County Code.
- d) Any property owner or developer who divides or subdivides land must pay for and install, to Town specification, necessary public improvements such as streets, intersections, storm sewers, water supply systems, sidewalks, and streetlights.
- e) Any property owner or developer who divides or subdivides land for residential purposes must provide adequate park, playground, recreation and open space to meet the needs created by and to be provided for their land division.
- f) The town may require a preliminary review letter, or other proof of compliance with the Dane County Erosion Control and Stormwater Ordinance (Chapter 14, Dane County Code) before approving any land division.

- g) Land division for new development should be by Certified Survey Map. The town will not approve development requiring a subdivision plat under the Dane County Land Division Ordinance (Chapter 75, Dane County Code).

V. Environmental & Resource Protection District

A. Purpose:

The Town has established the Environmental & Resource Protection District to preserve and enhance unique and sensitive natural resources within the Town. This district applies to lands within 100-year floodplains, wetlands, and significant woodlands. Non-farm development within the Environmental & Resource Protection District, as shown on the Planned Land Use Map (Map 8-3), is generally prohibited.



B. Objectives:

- a) Protect important local resources such as: floodplains, wetlands, significant woodlands, steep slopes and historic and archaeological sites.
- b) Prohibit filling or development in any floodplain or wetland area, as shown on the plan map. Agricultural activities within delineated wetlands will be limited to existing operations and may be expanded only if filling or draining is not required.
- c) Woodlands are an important resource to the town. Significant and high quality woodlands in the Environmental and Resource Protection District will receive priority consideration for preservation from development.
- d) Protect health, safety, welfare and the natural environment.
- e) Encourage sustainable management, enhancement and restoration of environmental corridors and their ecological function.

C. Appropriate Zoning Districts:

- CO-1 (Conservancy)
- A-1[ex] (Exclusive Agriculture)
- A-4 (Small-Acreage Agriculture)
- RE-1 (Recreational)

D. Policies & Programs – Environmental & Resource Protection District

1. Maintain in agricultural, conservation or open space use.
2. Require erosion control and soil and water conservation practices for all land-disturbing activities.
3. Prohibit new structures, buildings or urban development and limit impervious surfaces.
4. Support county shoreland & wetland zoning, floodplain, erosion control and stormwater ordinances.

5. Support programs to restore natural vegetation, remove invasive species and improve habitat.

VI. Public Lands District

A. Purpose:



The Town has established the Public Lands District to coordinate with public and nonprofit entities owning land in the town. The Town of Cross Plains contains lands owned by the Wisconsin Department of Natural Resources, the National Park Service, Dane County, the University of Wisconsin and nonprofit organizations such as the Ice Age Trail Foundation, Natural Heritage Land Trust and the Nature Conservancy, among others.

B. Objectives:

- a) Guide future decision-making with regard to lands owned by public agencies or purchased with public funds.
- b) Ensure town input on future land use decisions, acquisitions or dispensations of public lands.
- c) Coordinate with local, county, state, federal and nonprofit agencies purchasing lands in the town.

C. Appropriate Zoning Districts:

- CO-1 (Conservancy)
- A-1[ex] (Exclusive Agriculture)
- A-4 (Small-Acreage Agriculture)
- RE-1 (Recreational)

D. Policies & Programs – Public Lands District

1. Work with public agencies owning land in the Town and develop agreements on future use of existing public lands.
2. Actively participate in future updates to the *Dane County Parks and Open Space Plan*, state park planning, and Ice Age Trail planning efforts.
3. Develop procedures for future land acquisitions by public agencies that provide opportunities for adequate input from citizens and recognition of the goals, objectives, and policies of the *Town of Cross Plains Comprehensive Plan*.
4. Encourage land uses that are compatible with natural resource preservation and protection.
5. Encourage public recreational opportunities for Town residents on publicly owned lands

VII. Urban Service Areas

A. Purpose:

Urban Service Areas represent those areas in and around existing communities most suitable to accommodate urban development. Urban services include

public water supply and distribution systems, sanitary sewerage systems, police and fire protection, solid waste collection, urban storm drainage systems, streets with curbs and gutters, street lighting, neighborhood facilities such as parks and schools, and urban transportation facilities.

As described in the *Dane County Water Quality Plan*, Urban Service Areas also serve as the county's sewer service areas for areawide water quality management planning under NR 121, Wisconsin Administrative Code. Urban Service Area boundaries are approved by the Capital Area Regional Planning Commission.



B. Objectives:

- a) Promote cooperative planning with the Village of Cross Plains, the Capital Area Regional Planning Commission and all adjacent communities.
- b) Accommodate higher density urban development in locations suitable for the provision of efficient, high-quality public services
- c) Provide for efficient use of existing services and protect environmental corridors.
- d) Redirect development that would otherwise convert farmland from agricultural use.

C. Appropriate Zoning Districts:

- A-1[ex] (Exclusive Agriculture) or A-3 (Transitional Agriculture) for lands not annexed to an incorporated city or village.
- Determined by municipal zoning for lands annexed to an incorporated municipality.

D. Policies & Programs – Urban Service Areas

1. Continue to direct urban development requiring a full range of public services to designated Urban Service Areas.
2. Continue to refer to Urban Service Area plans adopted into the *Dane County Water Quality Plan* and appropriate municipal plans to provide detailed land use planning and development policies within Urban Service Areas.
3. Work cooperatively with the Village of Cross Plains and the Capital Area Regional Planning Commission to make sure future urban service area expansions are consistent with the goals, objectives and policies of the *Town of Cross Plains Comprehensive Plan*.

4. Explore opportunities to develop intergovernmental boundary agreements cooperative planning, shared services and revenue-sharing with the Village of Cross Plains.

VIII. Transfer of Development Rights (TDR)

A. Background:

A transfer of development rights program is a method of redirecting development from one part of the town, a “sending area,” to other lands in a different part of the town, a “receiving area.” The Town of Cross Plains has adopted Dane County’s Transfer of Development Rights Ordinance to facilitate the mutually agreed, voluntary transfer of development rights between landowners in the town.

B. Objectives:

The Town of Cross Plains uses its TDR program to:

- a) preserve farmland and rural character;
- b) redirect nonfarm development away from productive agricultural lands;
- c) encourage permanent protection of large blocks of contiguous farmland;
- d) encourage permanent protection of regionally significant natural resource, environmental and recreational lands;
- e) allow farmers reasonable compensation for their land;
- f) direct development to more suitable areas where development is more efficiently served;
- g) develop at higher densities;
- h) encourage infill development, and to
- i) discourage land uses incompatible with proximate residential uses.

C. Policies & Programs – Transfer of Development Rights

1. Allocation of Development Rights

Development rights are determined by the town density policy in Agricultural Preservation Districts and this Transfer of Development Rights section.

Development rights are transferred from a specific sending area parcel to a specific receiving area parcel. Any development rights transferred to a parcel in a receiving area, but not immediately used for the development planned in that receiving area parcel, remain with that receiving area parcel (that is, the development rights run with the land), and are subject to all other requirements related to development rights as set forth in the Dane County TDR Ordinance and the *Town of Cross Plains Comprehensive Plan*.

2. Sending Areas

A. General Policies for all Sending Areas.

All lands within the Agricultural Preservation Area, except for substandard parcels, are considered potential “sending areas.” Prior to application, landowners must provide a Density Study Report from the Dane County Department of Planning and

Development showing that the proposed sending property has development potential remaining under the Agricultural Preservation density policies. Within potential sending areas, the town will consider petitions by landowners to rezone all or a portion of their property into the TDR-S overlay zoning district (s.10.158, Dane County Code), provided at least one of the following criteria is met:

- a. Proposed sending areas are within the National Ice Age Scientific Reserve, Ice Age Trail Corridor or Black Earth Creek Water Quality Corridor (see Map 5-5), or are a Dane County defined inactive non-conforming mineral extraction site as of 2017;
- b. Soils on the land are predominately classified as Groups I, II or III agricultural soils under the Dane County Land Evaluation and Site Assessment (LESA) system (see Map 5-1), OR;
- c. Reduction of potential nonfarm development would result in large blocks of contiguous, permanently protected farmland, natural resource land or other open space.

B. Super Sending Areas

GROUP 1: Inactive grandfathered mineral extractions sites as defined by Dane County in 2017

GROUP 2: A minimum of 35 acres of land, not owned by public or non-profit entities, in Town:

- a. Adjacent/contiguous with certain public lands as of 2016 in current Voluntary Conservation/TDR sending areas.
- b. Adjacent/contiguous with Black Earth Creek in current Voluntary Conservation/TDR sending areas.
- c. In National Parks Ice Age Scientific Reserve/DNR/County acquisition areas.

The areas are identified in the attached SUPER SENDING AREA map date 12/5/17 (areas 1-3).

Owners of properties in GROUP 1 or GROUP 2 are eligible for additional development rights (Super Sending Area Bonus), under the following conditions:

For GROUP 1:

- a. Owners vacate grandfathered mineral extraction zoning status & deed restrict from mineral extraction activities
- b. Place a permanent agricultural or conservation easement on 35 acres for every bonus split with Town as an easement holder.

For GROUP 2:

Place a permanent agricultural or conservation easement on 35 acres for every Super Send Area Bonus with Town as an easement holder or sell property to a public governmental entity or non-for profit for conservation/preservation with Town as a

conservation easement owner.

A limited public easement for connecting to other public lands, an ice age trail connection or a multi-use regional trail connection would not be prohibited for either group of properties.

Any unused or Super Sending Area Bonus rights are available for transfer within the town but not within the Super Sending Areas.

C. Super Sending Areas Bonus Rights

For GROUP 1: For each unused development right transferred from a TDR-S zoned property in a Group 1 Sending Area, landowners may create up to four (4) development sites in an appropriate receiving area in the TDR-R district or on the TDR-S property with the unused development entitlement.

For GROUP 2:

- a. For each unused development right transferred from a TDR-S zoned property in a Group 2 Sending Area, landowners may create up to two (2) development sites in an appropriate receiving area in the TDR-R district.
- b. For properties that have exhausted their development rights prior to 2017 and are within a Group 2 Sending Area, one additional development right will be granted. For each such additional right transferred from a TDR-S zoned property, landowners may create up to one (1) development site in an appropriate receiving area in the TDR-R district.

3. Receiving Areas.

All lands in the Agricultural Preservation, Rural Residential, and Pine Bluff Crossroads planning areas are considered potential “receiving areas”. Within these areas, the town may consider petitions by landowners to rezone all or a portion of their property to an appropriate zoning district with a TDR-R overlay (s. 10.159, Dane County Code). The town board will recommend approval of petitions to the TDR-R overlay district, provided all of the following criteria are met:

- a. Proposed receiving areas are not within the National Ice Age Scientific Reserve, Ice Age Trail Corridor or Black Earth Creek Water Quality Corridors (see Map 5-5);
- b. Proposed receiving areas have minimal impact on Group I, II or III soils under the Dane County Land Evaluation and Site Assessment (LESA) system (see Map 5-1);
- c. Proposed receiving areas are not within the Village of Cross Plains Urban Service Area (see Map 8-3), unless expressly permitted in an adopted intergovernmental agreement between the Town of Cross Plains and the Village of Cross Plains;
- d. Proposed development would be clustered, and adjacent to existing nonfarm development;
- e. No more than one development site or lot is created in a receiving area for every each development right retired in a sending area;

- f. If within an Agricultural Preservation Area, lot size for proposed development does not exceed 5 acres, and;
 - g. Proposed development meets all of the siting criteria for the appropriate planning area as identified in the *Town of Cross Plains Comprehensive Plan*.
4. Implementing a Transfer.

Transfers from sending areas to receiving areas are accomplished by recording conservation easements and deed notices. Transfers are permitted only within the Town of Cross Plains.

- a. **Conservation Easements.** In order to transfer development rights from a sending area property in the TDR-S overlay district, the sending landowner must record a TDR Conservation Easement with the Dane County Register of Deeds. Conservation easements must:
 - 1. Meet all the requirements of ss.10.01(75m) and 10.158(3)(b), Dane County Code;
 - 2. Specify the number of development rights being sent from the property;
 - 3. Specify the number of development rights (if any) remaining on the property, and;
 - 4. Must include the Town of Cross Plains and Dane County as co-holders of the easement.
- b. **Deed Notices.** Landowners of both the sending area and receiving area properties must record deed notices with the Dane County Register of Deeds. Deed notices must:
 - 1. Meet all of the requirements of ss. 10.01(41m) and 10.159(3)(c), Dane County Code;
 - 2. Track the number of rights transferred from each sending parcel;
 - 3. Track the number of rights transferred to each receiving parcel;
 - 4. Identify each sending and receiving parcel by legal description and parcel number, and;
 - 5. Reference a recorded TDR easement on an appropriate TDR-S-zoned parcel.

5. Development Permits in Receiving Areas.

Before obtaining zoning, driveway or building permits for development in the TDR-R overlay zoning district, developers must present all of the following to the Town of Cross Plains Board and to Dane County Zoning:

- a. Recorded deed notice documents on both the sending and receiving parcels as described in (2)b. above.
- b. A letter from the Town of Cross Plains Plan Commission indicating that the TDR transaction is consistent with transfer policies, siting criteria and all other applicable policies of the *Town of Cross Plains Comprehensive Plan*, and;
- c. A letter from the Dane County Planning Division indicating that the TDR transaction

is consistent with the *Dane County Comprehensive Plan*.

Chapter 9

CHAPTER 9: IMPLEMENTATION

Implementation Tools

The Town of Cross Plains will regulate land use through the following mechanisms:

- 1) **Dane County Zoning Ordinance:** Through zoning maps and text, the ordinance governs the use of publicly and privately owned land in the town.
- 2) **Dane County Land Division Ordinance:** The town falls under the Dane County subdivision ordinance (Chapter 75 of the Dane County Code of Ordinances) which outlines provisions for subdividing parcels of land into smaller parcels. This ordinance applies to any division of land that creates a parcel of 35 acres or less in size. Approval of any plat or certified survey maps will require full compliance with the Ordinance and with the *Town of Cross Plains Comprehensive Plan*.
- 3) **Exclusive Agricultural Zoning:** The town adopted the agricultural exclusive (A-1 EX) zoning district allowed by the Dane County Zoning Ordinance as part of the *Dane County Farmland Preservation Plan*. The town will not approve of any zoning change that will enable land uses that are inconsistent or conflict with the objectives and policies of the *Town of Cross Plains Comprehensive Plan* or the *Dane County Comprehensive Plan*.
- 4) **Dane County Erosion Control and Stormwater Management Ordinance:** To ensure environmental protection of natural resources and features, the town has adopted the Dane County ordinance (Chapter 14 of the Dane County Code of Ordinances)
- 5) **Conservancy Zoning:** Conservancy zoning is contained within the Dane County Zoning Ordinance, Chapter 10 of the Dane County Code of Ordinances, (DCCO).
- 6) **Sign Regulations:** Sign regulations are contained within the Dane County Zoning Ordinance, Chapter 10 of the Dane County Code of Ordinances, (DCCO).
- 7) **Building and Mechanical Codes:** The town falls under the state Uniform Dwelling Code (UDC).
- 8) **Density Policy:** The town's residential density policy limits the number of lots that may be created by certified survey to one parcel for each 35 acres, or portion thereof, owned as of December 26, 1981. To prevent the occurrence of multiple divisions by successive landowners, this limitation runs with the land; is cumulative; and applies to those persons owning land within the town

on December 26, 1981, and to their grantees, heirs, successors and assigns. For further details, please refer to the Land Use policies found in Chapter 8.

- 9) **Sanitary Codes:** The town is covered by the Dane County Private Sewage System Ordinance and Health Ordinance (Chapter 46 of the DCCO)

Adoption, Evaluation, Amendments and Updates

Following the requirements of Wisconsin's comprehensive planning legislation, the town board adopted the *Town of Cross Plains Comprehensive Plan* by ordinance after receiving recommendation from the town's plan commission and holding a formal public hearing. In addition, the *Town of Cross Plains Comprehensive Plan* was approved by the Dane County Board of Supervisors for inclusion in the *Dane County Comprehensive Plan*.

Ongoing evaluation of the *Town of Cross Plains Comprehensive Plan* will occur while being utilized by the town. Progress toward goals will be reported, and changes in conditions that affect elements of the plan will be noted. When changing conditions in the town warrant minor modification of the *Town of Cross Plains Comprehensive Plan* text or maps, an amendment shall be made. Reasons for an amendment may include:

- Changes in state or federal law(s) affecting comprehensive planning,
- Changes to goals, objectives, policies, or recommendations in the *Town of Cross Plains Comprehensive Plan*,
- Changes in community demographics,
- Instances where the *Town of Cross Plains Comprehensive Plan* becomes inconsistent with other policy goals.

At least every ten years, the town will perform an update of the *Town of Cross Plains Comprehensive Plan*, in accordance with the State comprehensive planning law. Different than an amendment, an update may accommodate significant changes and modifications to the plan text and maps.

Integration of Plan Elements

In accordance with the State's comprehensive planning law, each element of the *Town of Cross Plains Comprehensive Plan* is integrated and consistent with the other elements. Elements have been carefully prepared so as to collectively achieve the Town of Cross Plains' vision and goals.

Implementation Timeline

In order to carry out the objectives of the *Town of Cross Plains Comprehensive Plan*, a timetable for action was created (Table I). Each year progress toward achieving the recommendations listed below will be monitored and evaluated by the town plan commission. As is evident from the table, most of the activities are, and will continue to be, ongoing.

Table 9-A: Action Plan and Timeframe

| ELEMENT | RECOMMENDATION | TIMEFRAME |
|--|--|-----------|
| Agricultural, Natural and Cultural Resources | Follow the plan's residential density policy in the Agricultural Preservation District. | Ongoing |
| | Continue to implement the town driveway ordinance. | Ongoing |
| | Work with the county in exploring programs to preserve farmland, such as purchase of development rights and transfer of development rights programs. | Ongoing |
| Housing & Economic Development | Allow for limited commercial uses appropriate to a rural town, consistent with land use policies in Chapter 8. | Ongoing |
| | Follow the residential density policy contained in the Comprehensive Plan. | Ongoing |
| | Promote the careful placement of homesites in an effort to preserve farmland and protect natural features. | Ongoing |
| | Identify local need and interest in the Dane County Community Development Block Grant (CDBG) program for maintenance and rehabilitation of existing housing stock. | Ongoing |
| Transportation | Continue to maintain town local roads. | Ongoing |
| Utilities and Community Facilities | Work with Dane County to develop policies and guidelines for wind turbines, communication towers, and management of solid and liquid manure. | Ongoing |
| Land Use | Follow the recommendations of the Town of Cross Plains comprehensive plan when considering all zoning petitions and land divisions. | Ongoing |
| Intergovernmental Cooperation | Share information with neighboring towns and villages as comprehensive plans are developed and/or amended. | Ongoing |

Appendix 1

Appendix 2

Maps