

# TOWN OF FULTON

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## Public Hearing #1

### Zoning Ordinance Revision

June 2, 2015

# Tonight

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- Why are we here?
- What is the Town proposing?
- Process and timeline
- Public hearing (Public comment)

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**Why are we here?**

# Why are we here? 1....

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- ❑ DATCP (Wisconsin Department of Agriculture) has recently revised their Farmland Preservation (FP) Statute.
- ❑ FP statute allows qualifying/eligible agricultural landowners to take a tax credit....if their land is in a town with a certified farmland preservation (FP) zoning district.

# Why are we here? 1....

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- ❑ The Town of Fulton has historically had a certified FP zoning district....which needs to be re-certified by DATCP every 10 years.
- ❑ Re-certification of the Town's FP zoning district is required by the end of 2015.

## Why are we here? 2...

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- The Town has recently developed its own tools to preserve and protect farmland and maintain its rural character, including:
  - Comprehensive Plan – Future Land Use Map:  
Limiting “development” of agricultural lands
  - Land Use Evaluation and Site Assessment (LESA)  
– Identifying “most suitable” agricultural lands
  - Town component of the Rock County Agriculture Plan - Revision of lands in FP zoning district

# Why are we here? 3....

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- The last major update of the Town's zoning ordinance was in the early 1980's....a lot has happened since then.
  - New land use and development patterns
  - New land use and development policies and standards

# Why are we here? 3....

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  - New land use and development policies and standards



# Why are we here?

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- So.....given:
  - Recent changes to the FP Statute and the need to re-certify the Town's FP zoning district
  - The Town's new farmland preservation and protection tools and desire to maintain its rural character
  - New land use/development patterns, polices, and standards.....

# Why are we here?

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.....THE TIME TO UPDATE FARMLAND  
PRESERVATION AND PROTECTION POLICIES  
AND STANDARDS IN THE TOWN'S ZONING  
ORDINANCE IS NOW.

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**What is the Town proposing?**

# What is the Town proposing?

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- ❑ “Cleaning up”, standardizing, re-naming, etc. Town residential, commercial, and industrial zoning districts
- ❑ Added Commercial-Recreational (C-R) and Natural Resource-Open Space (NR-OS) districts to address commercial and non-commercial recreational lands in the Town
- ❑ Removed R-2 district....higher density residential uses more suitable to cities/villages

# What is the Town proposing?

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- Added conditional use permitting language, and associated definitions etc., for livestock facilities (over 500 head of livestock), per State Statute

# What is the Town proposing?

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- ❑ Rezoning existing A-1 zoned parcels, including smaller, non-agricultural parcels (10 acres and under) and larger, agricultural parcels (over 10 acres) not likely to take advantage of the tax credit.
  
- ❑ Rezone to:
  - Residential-Rural Density Small (under 3 acres)
  
  - Residential-Rural Density Large (3-10 acres)
  
  - Agricultural-General (Over 10 acres)

# What is the Town proposing?

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- Existing and Future Uses in these “new” districts....  
NOT A LOT WILL CHANGE.
  - Residential-Rural Density Small – Residences and associated uses
  - Residential-Rural Density Large– Residences, “small-scale” agriculture (hobby farms, limited animals, etc.), and associated uses
  - Agricultural-General– Residences, “small and large scale” agriculture, and associated uses
  
- Prior Non-Conforming Uses will be allowed.

# What is the Town proposing?

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- Existing and Future Uses
  - Agricultural-General – Will not be eligible for the State of Wisconsin Farmland Preservation Tax Credit, nor will be subject to policies and standards for said credit.



# What is the Town proposing?

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- One FP zoning district:
  - Agricultural-Exclusive (A-E).....“Tier I” Farmland, per LUSE System
  
- Limiting creation (through rezoning) of new residential-type lots in the FP zoning district.
  
- New agricultural lots can be created, but they won't be allowed to have a new, additional residence.

# What is the Town proposing?

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- Limitations

- The new residential-type lots will need to be of a certain size (3-10 acres) and located in certain areas (near roads, near other residential-type lots, not on the best farmland etc.).

# What is the Town proposing?

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## □ Limitations

- Number of new residential-type lots allowed depends on farmland acres in base farm (see below for required percent).....and can not exceed 5 lots for any base farm (regardless of base farm size).
- A certain amount of agricultural land is needed in the base farm to create the new residential-type lots (90% agricultural land)...**this land also needs to remain in agricultural use.**

# What is the Town proposing?

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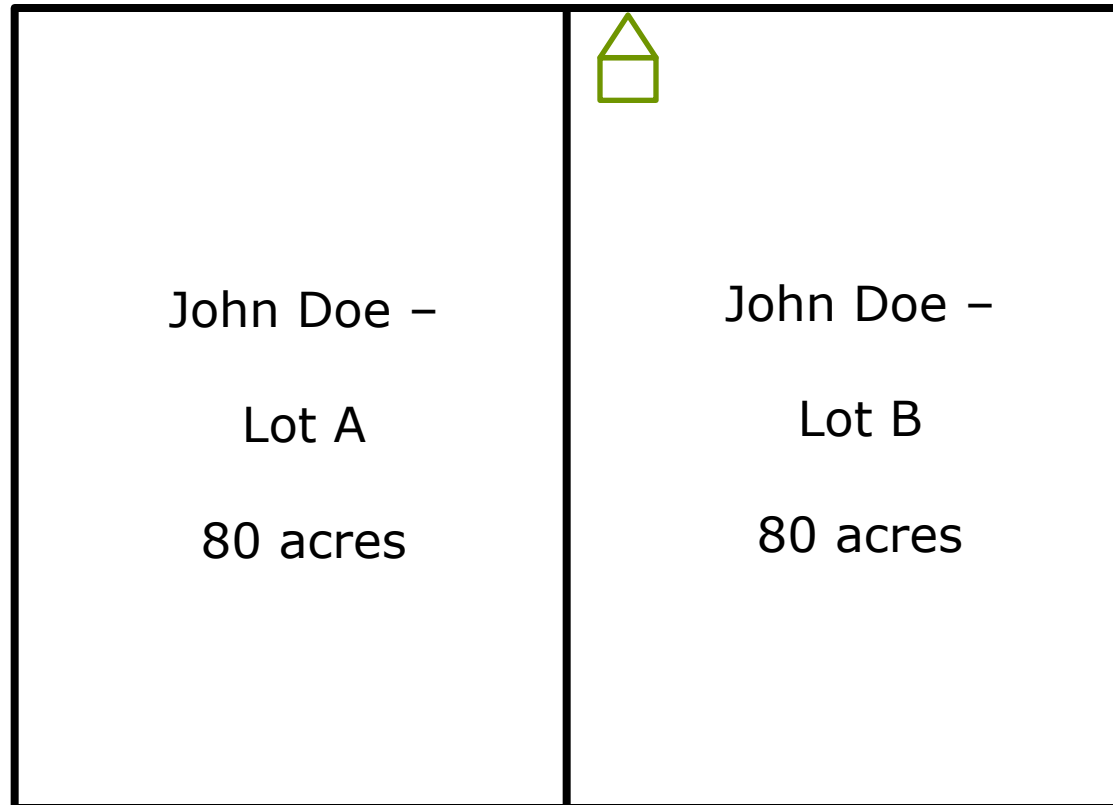
- Base farm = all contiguous land under “common ownership” on the date the updated zoning ordinance is adopted.
- Base farms stay the same, regardless of ownership change or land divisions.

# What is the Town proposing?

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January 1,  
2016

Base Farm -  
160 acres of  
agricultural  
land




# What is the Town proposing?

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January 1,  
2017

BASE FARM  
DOES NOT  
CHANGE.

Still 160  
acres of  
agricultural  
land....

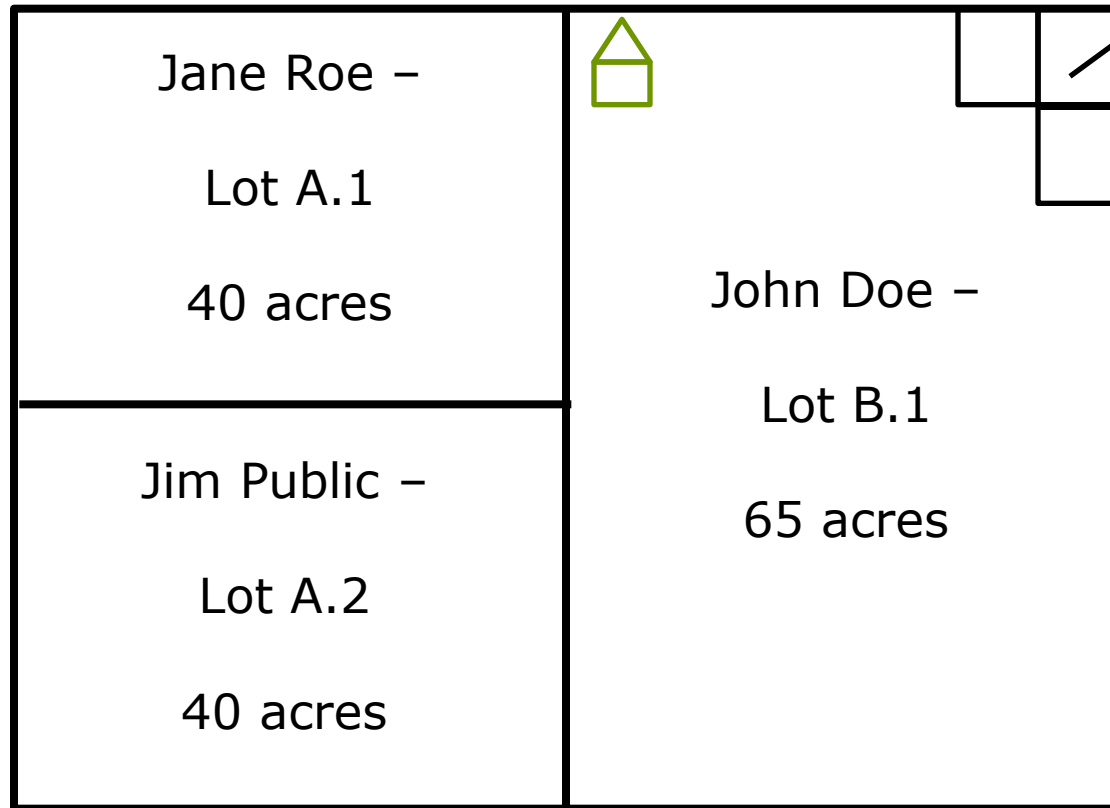
Jane Roe – Lot A.1 40 acres	  John Doe – Lot B 80 acres
Jim Public – Lot A.2 40 acres	

# What is the Town proposing?

January 1,  
2019

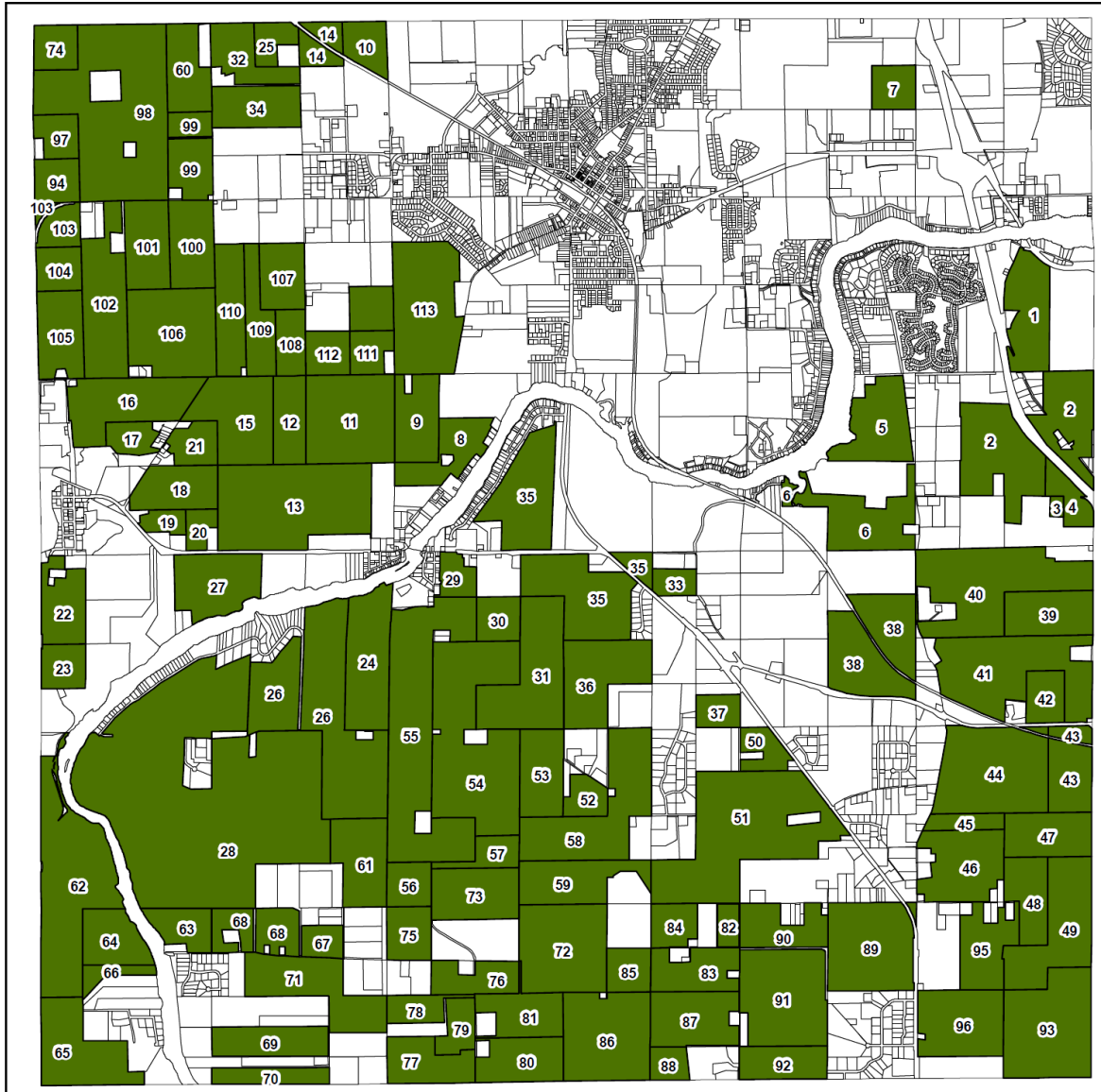
**BASE FARM  
DOES NOT  
CHANGE.**

Still 160  
acres....but now:  
- 90%  
(145 acres) as  
agricultural land  
- 10%  
(15 acres) as  
residential land



3 new  
residential  
lots:  
5 acres  
each

**NO MORE NEW RESIDENTIAL-TYPE LOTS ALLOWED ON BASE FARM....  
NEW AGRICULTURAL LOTS STILL ALLOWED.**



# Town of Fulton

## Base Farms

**DRAFT: 3-24-2014**

- Tax Parcels
- Base Farms
- City of Edgerton



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DATA SOURCE: ROCK COUNTY PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT AGENCY



# What is the Town proposing?

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- ❑ There will be paperwork/recording requirements for landowners that create new lots.
- ❑ The Town will maintain all records and documents relevant to the new lots.

# What is the Town proposing?

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- Existing Comprehensive Plan policy – Allows rezoning of agricultural lands to small-scale agricultural/residential use (creation of new residential-type lots)
  
- Minimum requirements under FP statute:
  - “Findings of Fact” for any rezoning of lands out of the FP zoning district
  
  - 80% consistency between “on-the-ground zoning” and the Town component of the Rock County Agriculture Plan (lands initially in FP zoning district)

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# Process and Timeline

# Wrap Up and Next Steps

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- Approximately **24 public meetings/workshops**, held from July 2012 to April 2015
- **2 public information meetings/workshops, with special notice provided to potentially affected landowners** and formal presentation (March and May 2014)
- 2 public hearings (Tonight and July 14)