

**TOWN OF SPRINGFIELD
ORDINANCE 2021 - 02**

**APPROVING AMENDMENTS TO THE 2019 COMPREHENSIVE PLAN OF THE TOWN OF SPRINGFIELD,
DANE COUNTY, WISCONSIN TO ADDRESS SOLAR FIELD SITING**

WHEREAS, the Town of Springfield is authorized to prepare and adopt a comprehensive plan as defined in §§66.1001(1)(a) and 66.1001(2), Wisconsin Statutes; and

WHEREAS, the Town Board adopted the last update to the Town's comprehensive plan on August 20, 2019, and said plan has since been in effect; and

WHEREAS, §66.1001(4), Wisconsin Statutes establishes the required procedure for a local government to amend a comprehensive plan once it has been initially adopted or updated, which provides the Town Plan Commission with the authority and responsibility to recommend amendments to the plan to the Town Board; and

WHEREAS, various private companies, electric utilities, and private landowners are constructing solar energy collection systems ("solar fields") in rural towns throughout Wisconsin; and

WHEREAS, larger solar fields are subject to the approval of the Wisconsin Public Service Commission ("PSC"), and therefore, are not subject to local zoning approval; and

WHEREAS, solar fields often occupy a large amount of land area, and have proven to be potentially disruptive of land use planning, agricultural activity, local economies, and aesthetic values; and

WHEREAS, the Town has identified a need to establish policies and programs were a developer or owner of a proposed solar field to seek Town or PSC approval of such a facility in Springfield; and

WHEREAS, on March 1, 2021, the Plan Commission recommended Town Board approval of the comprehensive plan amendments via Plan Commission Resolution 2021-01; and

WHEREAS, the Town Board has conducted a public hearing on the plan amendments in compliance with the requirements of §66.1001(4)(d), Wisconsin Statutes and considered public comments and Commission recommendations.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of Springfield does ordain that the following amendments are hereby approved and adopted to the Town of Springfield Comprehensive Plan:

Section 1: Amend policies 2 and 3 in the "Agricultural Resource Goal, Objectives and Policies" section on page 22 to read as follows:

2. Limit the number of houses and certain other types of non-farm development in the Agricultural Preservation Area by following a one home per 35-acre residential density policy, or equivalent, as described in more detail in Chapter Three—Land Use.
3. Direct new subdivisions and other major non-agricultural developments away from the Agricultural Preservation Area to the extent consistent with Town zoning rules and, ~~except where consistent with the~~ density policy.

Section 2: Amend the “Existing and Potential Land Use Conflicts” section on page 46 to read as follows:

Residential development in the Town has created some conflicts between newer residents and surrounding farming operations. Activities that make up the day-to-day operation of a farm—slow farm machinery on roads, farm odors associated with the stockpiling and spreading of manure, livestock noise—are sometimes considered nuisances by new, non-farming neighbors. These activities are protected under §823.08 Wis. Stats., Wisconsin’s right-to-farm law.

Energy generation facilities, such as wind turbines, biodigesters, and solar fields, create unique opportunities for local, environmentally responsible energy generation. Springfield has been and will continue to be an attractive location for these types of uses, as builders and managers of these energy generation facilities desire proximity to a large population, accessibility to transmission lines, and expanses of open land. Despite their benefits, such energy generation facilities have the potential to produce undesirable odors or noises, negatively affect viewsheds and nearby property values, and consume productive farmland.

This Town seeks to minimize these types of conflicts in the future by discouraging dense residential and other non-farm development in Agricultural Preservation Areas and through thoughtful land use planning. Conflicts will inevitably occur in areas where residential and other non-farm development abuts against planned Agricultural Preservation Areas. The use of the Agricultural Transition Areas between several planned development areas and the Agricultural Preservation Areas is one approach to minimize these conflicts. Map 7 shows where these different areas are mapped.

Section 3: Amend the policy 5 in the “General Policies” section on page 47 to read as follows:

5. Direct most new rural subdivisions ~~and other non-farm rural developments~~ adjacent to lands that have ~~already~~ been residentially developed.

Section 4: Amend policy 7 in the “Density Policies” in Figure 15 on page 53 to read as follows:

7. **Commercial and Other Uses:** The following additional uses shall be considered the equivalent of one dwelling unit for the purpose of this policy:
 - a. Any commercial use requiring a rezoning away from an Exclusive Agriculture zoning district after March 1, 2002.
 - b. A freestanding telecommunication tower approved by Dane County or the Town after March 1, 2002.
 - c. A governmental, institutional, religious, or nonprofit community use.
 - d. A transportation, communications, pipeline, electric transmission, and utility use. Each wind turbine primarily for off-site energy distribution shall be considered the equivalent of one dwelling unit. Each 5-acre area used for solar panels, their ancillary structures, and required spacing, where primarily for off-site energy distribution, shall be considered the equivalent of one dwelling unit.

Section 5: Amend policies 3 and 4 in the “Policies Applicable to Other Uses in the Agricultural Preservation Area” in Figure 15 on page 54 to read as follows:

3. **Commercial and Institutional Uses:** Within the Agricultural Preservation Area, allow only such commercial, ~~and institutional, and utility~~ uses that meet all of the following criteria:
 - a. A rural location for the use is necessary to support the continuation of agricultural operations or to serve primarily agricultural customers.
 - b. The placement and operation of the proposed use will not be in conflict with farming operations to the extent determined applicable by the Town Board.
 - c. The site is suitable for an on-site waste treatment system of the type and capacity contemplated.
 - d. Unacceptable future commercial or other non-residential uses of the site are limited, through use of the appropriate zoning district, a deed restriction, or both.
 - e. The project will adhere to the “Residential Development Siting Standards” above to the extent determined applicable by the Town Board.
 - f. The project adheres to the Town’s design review ordinance.
4. **High Intensity Rural Uses (HIRUs):** ~~Within the Agricultural Preservation Area, when considering the siting or expansion of HIRUs, utilize associated standards included in Chapter Five – Economic Development.~~ HIRUs include, but are not limited to non-metallic mineral extraction operations, biodigesters, telecommunication towers, wind turbines, solar fields, and farm trucking operations. Such uses typically demand a rural location, but can have negative impacts on Town roads, the natural environment, farmland, rural character, and the enjoyment of nearby properties (particularly nearby housing). When considering the siting or expansion of HIRUs, utilize policy 3 above, associated standards in Chapter Five – Economic Development, and, for proposed wind turbines and solar fields, associated standards in Chapter Four – Transportation, Utilities, and Community Facilities.

Section 6: Repeal the “Power Plants and Transmission” section on page 86, and recreate it as the “Power Generation and Transmission Lines” section to read as follows:

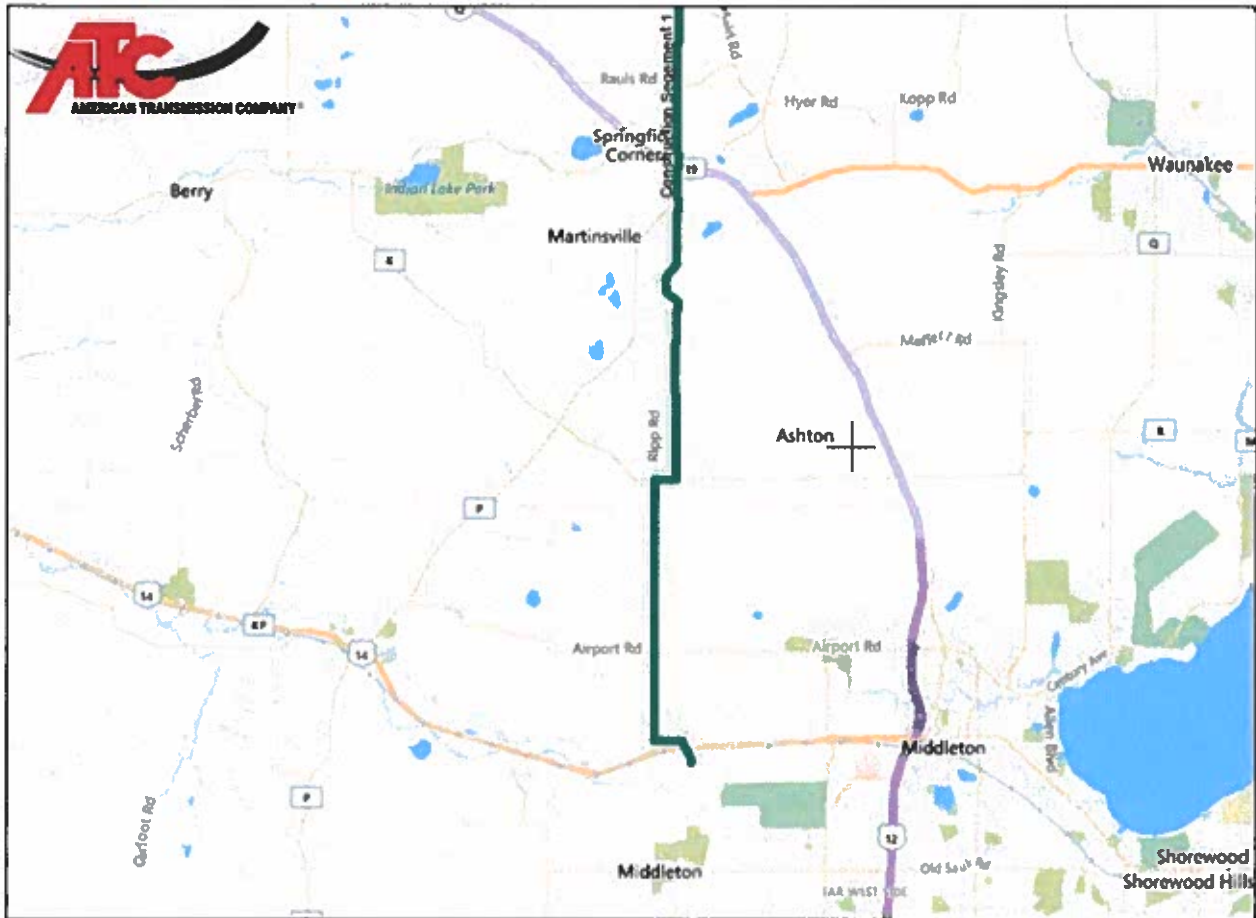
14. POWER GENERATION AND TRANSMISSION LINES

Madison Gas & Electric provides electrical and gas service to Town residents.

The American Transmission Company (ATC) owns the electrical transmission lines through the Town. In early 2015, the State Public Services Commission approved ATC’s plans for an extension of a high-voltage transmission line from La Crosse to Middleton, called the Badger Coulee line. This line was completed in 2018.

The route through the Town to the North Madison substation is shown on Map 15. The line was constructed on steel, single-pole structures in a single- or double-circuit delta-configuration over most of the route in the Springfield area. The Town received a one-time payment from ATC of \$366,001 and will receive an annual payment of \$43,912 per year.

Map 15: ATC Badger-Coulee Line Alignment through Springfield Area



A 3-million-gallon biodigester opened in the Town in 2013. Biodigesters are designed to generate electricity and reduce the nutrient level and volume of manure, which eventually goes back to nearby farms to be spread on fields as fertilizer. The biodigester in the Town sends its energy to Madison Gas & Electric. In 2019, the digester generated nearly 11 million kilowatt-hours (kWh) of electricity, enough to power approximately 1,800 homes.

There are six wind turbines near Martinsville along Kick-A-Boo road. Epic Systems, Inc. built the turbines in 2012 and they were functional by fall 2013. Each turbine has the capacity to produce 1.6 megawatts each, totaling 9.9 megawatts altogether. The company worked with Madison Gas & Electric to lay 16 miles of underground power lines that provide energy straight to the company's Verona campus. These are the only commercial wind turbines in Dane County at time of writing.

At time of writing, there were no commercial solar fields in the Town. There are 1,700 solar panels located on the roof of the City of Middleton Operations Center adjacent to the Town, which provide 500 kW to Madison Gas & Electric's community grid. Also near the Town boundary, a five-megawatt solar field with 17,000 solar panels is planned for Middleton's Morey Field airport, which would provide enough electricity to power approximately 1,500 homes.

Solar field proposals and developments are becoming more common in rural communities across Southern Wisconsin as utility companies and consumers desire to switch from fossil fuels to renewables for electricity production. In Jefferson County, the Badger Solar Field is currently under construction and planned to begin operation in 2021. In Iowa County, the Badger Hollow Solar Field is also under construction and planned to begin operation in 2023. At the time of writing, another large solar field was proposed in Kenosha County.

Smaller-scale community-solar fields are slightly more expensive per megawatt than large-scale solar fields, but still feasible. At time of writing, Wisconsin was home to more than a dozen examples in Wisconsin of small-scale solar fields located on or near agricultural lands in rural communities. These are predominately located immediately adjacent to transmission lines, owned by the underlying landowner, and cover between five to ten acres of land.

In general, five to seven acres of land are used for every megawatt of solar power capacity. Additionally, solar fields, if not located immediately adjacent to a substation or transmission line, must be served by a dedicated transmission line and transformer to connect to the grid, requiring more land for distribution.

Solar fields sized under 100 megawatts are subject to local zoning regulations and approval, while solar fields 100 megawatts or larger are not subject to local zoning regulations. Instead, these larger solar fields must gain approval from the State of Wisconsin's Public Service Commission (PSC). This process is called a Certificate for Public Convenience and Necessity, or CPCN, which requires the PSC to find that the project will 1) be in the public interest, 2) have no undue adverse impact on environmental values, 3) not interfere with orderly land use and development plans, and 4) have no adverse impact on competition in the relevant wholesale market. Additionally, Wisconsin law limits local restrictions on solar developments, only allowing restrictions that 1) preserve or protect the public health or safety, 2) do not significantly increase the cost of the system or significantly decrease its efficiency, or 3) allow for an alternative system of comparable cost and efficiency.

The Town's policies and programs related to solar fields are located in the next section of this chapter.

Badger Hollow Solar Field

The Badger Hollow Solar Field in nearby Iowa County was under construction at time of writing and planned to begin operating in 2023. The solar field is spread across 3,500 acres of agricultural land and will contain 900,000 to 1.2 million solar photovoltaic panels. The project will produce 300 megawatts of electricity, enough to power over 77,000 homes. The project will generate approximately \$500,000 in utility aid for Town governments and \$700,000 for Iowa County. Badger Hollow alone will triple Wisconsin's solar power generation capacity.

Section 7: Amend the objective 2 in the "Facilities and Community Facilities Goal, Objectives, and Policies" section on page 88 to read as follows:

2. Protect the Town's public health, ~~and natural environment, farmland, and existing residents~~ through proper siting of utility uses and on-site wastewater treatment systems, and mitigation of off-site impacts such as through proper siting and stormwater management.

Section 8: Amend the policy 9 in the "Facilities and Community Facilities Goal, Objectives, and Policies" section on page 89 to read as follows:

9. Discourage the future development of a landfill in the Town, and remain actively involved in processes to site power generation facilities.

Section 9: Renumber current programs 2 and 3 on pages 89 and 90 to programs 3 and 4 respectively, then create a new program 2 to read as follows:

2. APPLY TOWN PRIORITIES IN EVALUATION OF SOLAR FIELD PROPOSALS

The Town understands and recognizes the benefits of solar energy development. Solar energy does not produce pollution, contribute to climate change, consume water, cause noise or odor, or reflect sunlight. Also, towns in which solar fields are sited often receive payments from their developers or owners, similar to what Springfield has received from ATC for its recent transmission lines.

Property owners on which the solar fields are located also enjoy financial benefits.

Still, the Town has the following concerns related to the potential future siting of solar fields used primarily for off-site energy distribution within Springfield.

- Large-scale solar fields often consume hundreds of acres of farmland. Farmland preservation is clearly a Town priority, as articulated in the vision and numerous goals, objectives, policies, and programs in this Plan. (As an aside, though often referred to as “solar farms”, the Town does not consider solar fields to be farming.)
- Solar fields in Springfield could negatively impact its rural character, viewsheds, and natural environment. These aspects of the Town are prioritized in the cultural and natural resources sections of Chapter Two of this Plan.
- The Town has plans and intergovernmental agreements that support future residential, commercial, and mixed use development in certain parts of the Town. These are articulated in the Land Use and Intergovernmental Cooperation chapters. Were large-scale solar fields to instead occupy such areas, such future development would be stopped, impeded, or forced to leap-frog into less desirable areas for development.
- The Town does not desire to be left with a “solar wasteland” if and when a solar field, panels, and associated equipment exceed their useful life; new technologies emerge; the owner or operator goes out of business or otherwise experiences financial difficulties; or some combination.

Given these concerns, the following are the Town’s policies relative to the siting of solar fields primarily intended for off-site energy distribution in Springfield:

- a. Do not site on Group I or II agricultural soils, as depicted on Map 2: Soil Suitability for Agriculture, as these align with the most productive farming areas of the Town.
- b. Discourage in other areas used for crop production in the Town. In addition to providing food, these areas also serve an important function for the spreading of manure to support local dairy farming.
- c. Do not site over lands designated as Agricultural Transition Area, Rural Neighborhood Area, Town Activity Center, or Conservancy Area on Map 7: Future Land Use. These areas are instead intended for other forms of development or conservation, in line with local and intergovernmental plans and agreements.
- d. Discourage within the viewshed of any residential subdivision, public recreation land, or Highway 12 as represented on Map 5: Visual Character Analysis; or effectively screen the solar field from views from these places using topographic changes, woodlands, setbacks, and/or landscaped berms.

- e. Require siting along existing electric transmission lines capable of distributing energy from the solar field, or require that new lines outside of the solar field be buried, in order to minimize the installation of new overhead lines outside of the solar field in the Town.
- f. Require the submittal of site, grading, stormwater management, and erosion control plans to comply with associated Town, Dane County, and State regulations.
- g. Discourage the large-scale removal of topsoil, mature trees, and woodlands; preserve environmental corridors and logical animal movement routes; and promote prairie and pollinator-friendly vegetation as ground cover throughout the solar field.
- h. Require every solar field proposal to include an evaluation of environmental, wildlife habitat, architectural, archeological, cultural, and other resources on and near such site, and avoid negative impacts on such resources.
- i. Require adequate security and other legal assurances that financial resources are available to remove the solar field and all associated equipment and infrastructure when their usefulness or lifespan is exhausted, other technologies render the facilities obsolete or no longer cost effective, or the owner or operator goes out of business or is otherwise financially unable to maintain the facility or remove the equipment and infrastructure following use.
- j. Require the use of “splits” for solar field installation per Figure 15, density policy 7 of this Plan.
- k. Attempt to apply review standards for High-Intensity Rural Uses (HIRUs) as laid out in Figure 24 of this Plan.

Section 10: Amend Figure 20 on page 93 to read as follows:

Figure 20: Utilities and Community Facilities Timetable

Utility or Facility	Timeline for Town Improvements	Comments
Water Supply	N/A	All water supplied by private wells; Town does not intend to provide public water service.
Waste Disposal	N/A	All homes in Town have private wastewater treatment systems; Town does not intend to provide public sanitary sewer service.
Solid Waste	N/A	All landfills in the Town are closed. The Town does not intend to allow any new landfills.
Stormwater Management	Keep Town ordinances up to date as necessary	All development in the Town is subject to Dane County's stringent stormwater management ordinance. Town will work to ensure its ordinances reflect or refer to the latest County standards, and will promote recharge and temperature control in critical areas.
Wind Energy Power Generation and Transmission Facilities	As soon as possible	Take measures at the Town's disposal to be an active participant in any proposal to develop or convert power generation and transmission facilities in the Town. Mitigate known and emerging issues associated with the wind turbines off Kick-a-Bee Road. The Town will consider an ordinance for wind systems that includes provisions that protect residents from known safety hazards associated with the turbines.
Town Hall and Garage	2020-2025	The Town desires to expand the Hall and Garage to accommodate future needs, ideally in conjunction with the improvements scheduled for US112. Expansion could be done in conjunction with a permanent Town Park (see below).
Recycling and Trash Collection	Renew or rebid contracts when they are set to expire	The Town's recycling and trash service meets current and forecasted needs; no changes anticipated.
Law Enforcement	N/A	Dane County administers a dispatch station in the Town of Middleton. This station meets the Town's current and forecasted needs; no changes anticipated.
Fire Protection & EMS	Update agreements when they are set to expire	The Town's fire protection and EMS services are provided via intergovernmental agreements with nearby communities. The Town anticipates continuing those agreements rather than developing its own fire or EMS services or facilities.
Medical Facilities	N/A	Medical facilities serving the Town are located in nearby communities. These facilities appear to meet needs.
Library	N/A	The public libraries serving the Town are located in nearby communities. These libraries meet current and forecasted needs. The Town will not have its own library.
Schools	By school districts, as approved by voters	Public schools serving Town residents are implementing plans to resolve school capacity issues, and have their own long-range facilities plans.
Park & Recreation Facilities	Consider acquisition and further improvements to Page Park and/or other central park improvements: 2019-22 Promote trail along Highway 19 in conjunction with road resurfacing project design.	The Town has a lease arrangement with WisDOT for lands at the southeast corner of Highway 12 and P. In 2015, the Town constructed a park shelter on these lands (Page Park). In the future, the Town may wish to add playground equipment, water and electrical service, bathrooms, small athletic field improvements, or other improvements to that space. Perhaps in conjunction with the Highway 12 Improvement Project, the Town may wish to acquire this or other land in the Springfield Corners area for a permanent Town park. The Town may consider other sites, with a priority to not convert farmable land for a park. The Town also advocates for State or County construction of a trail between Springfield Corners and Waunakee.

Section 11: Amend Figure 26 on page 121 to read as follows:

Figure 26: Comprehensive Plan Priority Programs

Category	Program	Priority Rating
Agricultural Resources	Implement the Town's Transfer of Development Rights (TDR) Program	Top
	Support Continued Diversification of Springfield's Agricultural Base	High
Natural Resources	Encourage Participation in the Grass Roots Resource Protection Efforts	Moderate
	Demonstrate Springfield's Stewardship Through Groundwater Quality Protection	Moderate
Cultural Resources	Protect the Town's Image Along Highway 12	Moderate
Transportation	Advocate Upgrades to Highway 19	Top
	Advocate for Town Resident and Landowner Interests Regarding Morey Field	High
	Advocate Town Interests in Implementation of USH 12 Freeway Conversion Project	High
	Voice Town Concerns Over North Mendota Parkway Project	Moderate
Utilities and Community Facilities	Manage the Siting and Safe Operation of Wind Energy Systems	Moderate
	Apply Town Priorities in Evaluation of Solar Field Proposals	High
	Stage Community Facilities Investments Based on Need and Budget	High
	Reevaluate the Town's Parkland Fee, in Conjunction with Town Park Investigation	Top
Housing	Explore Strategies for More Affordable Housing Serving Local Needs	Moderate
Economic Development	Implement Clear and Consistent Standards for "High Intensity Rural Uses"	High
Intergovernmental Cooperation	Pursue a New Intergovernmental Agreement with Village of Waunakee	Top

Adopted at a Town Board meeting this 8th day of April, 2021.


 Jim Pulvermacher, Town Chairperson

Attest:


 Dianah Fayas, Town Clerk