

What are development rights or splits?

The Town of Springfield under its Comprehensive Plan generally limits new development to a density of one dwelling unit per 35 acres held in single ownership as of April 16, 1979. A single-family residence built since April 1979 counts as one dwelling unit, a duplex as two dwelling units, and certain non-residential uses as dwelling unit equivalents using criteria in Figure 15 of the Town Plan. The Town’s transfer of development rights program may allow greater or fewer dwelling units.

Why prepare maps showing 1979 and already-used development rights?

The maps are intended to help guide property owner, planning, and development decisions. Understanding a property’s development potential is critical to the Town’s land use planning, farmland preservation, and transfer of development rights programs. Given the decades that have elapsed since 1979, the Town Board felt it was important to develop and maintain a tracking mechanism.

Who prepared the maps?

In 2022, the Springfield Town Board appointed an ad hoc Density Study Committee to guide preparation of maps depicting the number of development rights (commonly called “splits”) authorized and used on each 35+ acre 1979 farm in the Town. The Committee, aided by its staff, worked throughout the year to collect and analyze the data and prepare the maps. The Committee directed preparation of draft development rights maps using a variety of data sources, careful technical analysis, and its best judgement. In October 2022, the Committee finalized a draft database that includes the numbers and rationale for each determination on each 1979 farm and directed the draft maps from that database.

How exactly were 1979 and already-used development rights/splits determined?

Using a combination of the Rockford Maps plat book page for Springfield in 1979 and tax records, the Committee and its staff determined the extent and ownership of all farms as of 1979. They then determined the 1979 farm acreage, typically using 2022 County tax parcel records per guidance in the Comprehensive Plan. Exceptions were made in cases where highway acquisitions had reduced the acreage since 1979 and in limited other unique situations. For each farm, the acreage was divided by 35 to determine the number of post-April 1979 dwelling units that may be constructed within the 1979 farm acreage.

The Committee and its staff then used a several sources to determine how many dwelling units—or non-residential equivalents—were built on each farm between April 1979 and July 2023. Sources included historic aerial photography; past County and Town density studies (on which errors were occasionally found); and tax assessment, building permit, rezoning, and land division records. If a vacant lot was divided and zoned for residential development, a residence was counted as already being built because at any time the lot owner can obtain a building permit. If all or part of a 1979 farm was later subdivided for a number of residences, each residence was generally counted. Land sales for passive recreational uses—like for Waunakee Marsh DNR expansions—were not counted.

How are property owners involved?

The Town held a process during winter 2022-23 to enable Town property owners and other interested parties an opportunity to review, ask questions, and comment on the draft maps. This process began with information in the Town newsletter and on the Town Web page in December 2022. A well-attended public presentation and hearing was held on January 28, 2023. Before, during, and after the

hearing, owners and other interested parties had the opportunity to ask questions, get information on how authorized and used development rights were determined, and offer different opinions with evidence to help shape the maps. After receiving comments, the Committee met once more time in July 2023 to recommend the maps with minor adjustments. The Town Board endorsed the maps on August 15, 2023.

Then what? Are the maps and their information carved in stone?

No. Despite the best efforts of the Committee and others, further information and more detailed analysis may reveal that more or fewer dwelling units remain on each farm than represented on the maps—even after they are endorsed by the Town Board. The Town is prepared to make amendments in response to new or better information going forward. The Town also intends to verify the accuracy of these maps as part of any rezoning or land division proposal that would result in new dwelling units or equivalent non-residential uses.

What will be the procedure for amending the maps *after* they are endorsed by the Town Board?

The proposed procedure—subject to later adjustment with experience—will be as follows:

1. An affected Town property owner shares a request with the Town Clerk for consideration of an amendment to the information on the development rights maps, providing evidence that supports the need for the amendment. This may include tax assessment, building permit, rezoning, and land division records, for instance.
2. The Town Clerk shares the request and information with the Town Planner. The Planner will spend up to one hour investigating the request at no expense to the requesting property owner. Within that period, the Planner will render a preliminary determination, request a consultation with the Town Board, and/or make a request for additional information and/or more time.
3. If the Town Planner or other Town consulting professionals require more than one hour to render a preliminary determination, the requestor will be responsible for reimbursing the Town for all additional Town Planner time at normal billing rates. The Town Clerk will ask the requesting property owner to sign a reimbursement agreement to this effect. Failure to sign the agreement or later reimburse the Town for additional Town Planner time will result in the cessation of the Town’s efforts on the request, and the maps will likely remain unchanged.
4. Each preliminary determination of the Town Planner will be issued in writing. In the event the requesting property owner disagrees with the Town Planner’s preliminary determination, the owner may appeal the decision to the Town Board, which will make the final determination.
5. At the end of each calendar year in which the Town Planner makes preliminary determinations, the Town Planner and Clerk will prepare associated map amendments and forward such amended maps to the Town Board for its endorsement. Once endorsed, amended maps will be posted on the Town’s website and be the official versions of such maps.

The Town also reserves the right to amend the development rights maps and the underlying database when it finds errors or discovers new information, such as in conjunction with review of a rezoning or land division request affecting the 1979 farm. In such event, the Town will attempt to notify all affected owners of the amendment.