



TOWN OF LINCOLN PLAN COMMISSION RECOMMENDATION

REZONE NUMBER: RZN-006-26 **COMPUTER NUMBER:** 012103206000
PUBLIC HEARING DATE: August, 2026

PLAN COMMISSION CONTACT: Dessy Johnson

OWNER/AGENT: Brian Behrendt, S7256 SUNRISE DR, Fall Creek, WI 54742

REQUEST: Rezone 5 acres +/- of land from A-P (Agricultural Preservation) District to A-R (Agricultural Residential) Floating District.

LOCATION: West side of Sunrise Dr. between Hillview Dr. and County Rd AF

LEGAL DESCRIPTION: A 4.88 acre parcel being part of the SE¼ of the SW¼, Section 15, T26N, R7W, Town of Lincoln, Eau Claire County, Wisconsin.

RECOMMENDATION: Approval of request based on findings outlined at the end of this report.

BACKGROUND

SITE CHARACTERISTICS:

- The property to be rezoned is wooded with single family dwelling.
- There are steep slopes at the site.

TOWN OF LINCOLN ZONING ORDINANCE

EXISTING ZONING DISTRICT:

- Preserve and protect those areas best suited for agricultural, forestry or open- space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Preserve and protect farmland by recognizing industrial wind and solar are incompatible with preserving farmland;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*
- Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;*
- Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated.*

REQUESTED ZONING DISTRICT:

A-R Floating district is established to allow for limited residential development within the Agricultural Preservation district and is not intended to be part of a farming operation.

TOWN OF LINCOLN COMPREHENSIVE PLAN:

The Town of Lincoln Future Land Use Map includes the property in the Rural Preservation (RP) planning area. Following is a description of the intent of the Town's comprehensive plan future land use category and applicability:

Rural Preservation (RP) – The primary intent of this classification is to preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas.

Rezoning land to the A-R Floating Agricultural-Residential District is preferred over additional non-farm A-2 parcels.

FARMLAND PRESERVATION PLAN:

The property is included in the Farmland Preservation Plan Map, which allows the property owner to claim Farmland Preservation tax credits. The proposed A-R Floating Zoning District is not a certified farmland preservation district and would not qualify for Farmland Preservation tax credits.

A-P REZONING STANDARDS:

In addition, there are four standards for approving a rezoning of land from the A-P Agricultural Preservation zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards:

Standard 1 - The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses.

- Soil Types – The property includes Prime Farmland Class IIIe-2 Seaton silt loam, 6 to 12 percent slopes.
- Historical Productivity – The property is wooded.
- Site Location – The property is located at the SW side of the intersection of E Hillsdale Drive and County Road JJ.
- Adjacent Land Uses – Uses in the area include a mixture of farmland, woodlands, and farm and non-farm single-family residences.

Standard 2 - The rezoning is consistent with the Town of Lincoln Comprehensive Plan.

The proposed rezoning substantially conforms to the future land use intent, purpose, and policies for the Town of Lincoln Comprehensive Plan, including policies related to limiting residential density in AP district of the Town and limiting conversion of productive farmland.

Standard 3 - The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan.

Standard 4 - The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

ANALYSIS

The rezoning petition has been evaluated for consistency with the purpose of the A-R Floating District and the uses allowed in the district. The request is generally consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is substantially consistent with the intent and purpose of the Town of Lincoln Future Land Use plan.
- Existing uses in the area include woodlands, agricultural fields, and farm and non-farm single-family residences.
- Zoning is predominantly A-P, in vicinity of the subject property.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Town of Lincoln Comprehensive Plan future land use designation
- Town of Lincoln Comprehensive Plan goals, objectives, and policies
- Town of Lincoln Zoning Ordinance, including purpose of the zoning code and allowable uses in the A-R Floating District

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence in support or opposed to the proposed rezoning has been received, to date.

FINDINGS

Findings in Favor:

1. The request is generally consistent with the goals, objectives, and policies of the Town of Lincoln Comprehensive Plan, as required by Wisconsin Statutes §66.1001(1)(am) and §66.1001(3)(j), including the intent, description, and policies of the Rural Preservation Future Land Use classification in Section 3.1.2 of the Town of Lincoln Comprehensive Plan and 3.1.1 Future Land Use of the Town of Lincoln Comprehensive Plan.