

**TOWN OF COTTAGE GROVE
BOARD ORDINANCE 2017-02**

**AMENDING THE
TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN**

WHEREAS, on October 28, 2015, the Town of Cottage Grove Board adopted an updated Town of Cottage Grove Comprehensive Plan (hereinafter "Plan"), under Section 66.1001(4), Wisconsin Statutes, in two volumes, with one volume titled Conditions and Issues and the second volume titled Vision and Directions; and

WHEREAS, Section 66.1001(4), Wisconsin Statutes; Section 15.20.2 of the Town Code of Ordinances; and Chapter 7 of the Vision and Directions volume of the Plan establish the required procedure for the Town to amend its Plan; and

WHEREAS, using those procedures, on August 1, 2016, the Town Board amended the 2015 Plan; and

WHEREAS, the Town of Cottage Grove Plan Commission has the authority and responsibility to recommend amendments to the Plan to the Town Board, under Section 66.1001(4)(b); and

WHEREAS, on April 26, 2017, the Plan Commission adopted a resolution recommending further amendments to the Vision and Directions volume in the Plan, including an amended Map 1: Jurisdictional Boundaries in the Conditions and Issues volume (per Exhibit A), an amended Map 10: Future Land Use in the Vision and Directions volume (per Exhibit B), and amendments to certain figures and text included in the Vision and Directions volume (per Exhibit C).

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Cottage Grove hereby approves the amendments to the Town of Cottage Grove Comprehensive Plan, indicated in Exhibits A, B, and C.

The above and foregoing Ordinance was duly adopted at a meeting of the Town Board of the Town of Cottage Grove held on the 12th day of June, 2017, by a vote of 4 in favor and 1 opposed.

TOWN OF COTTAGE GROVE



Kris Hampton, Town Chair

Attested by:


Kim Banigan, Town Clerk

Incorporated by Reference

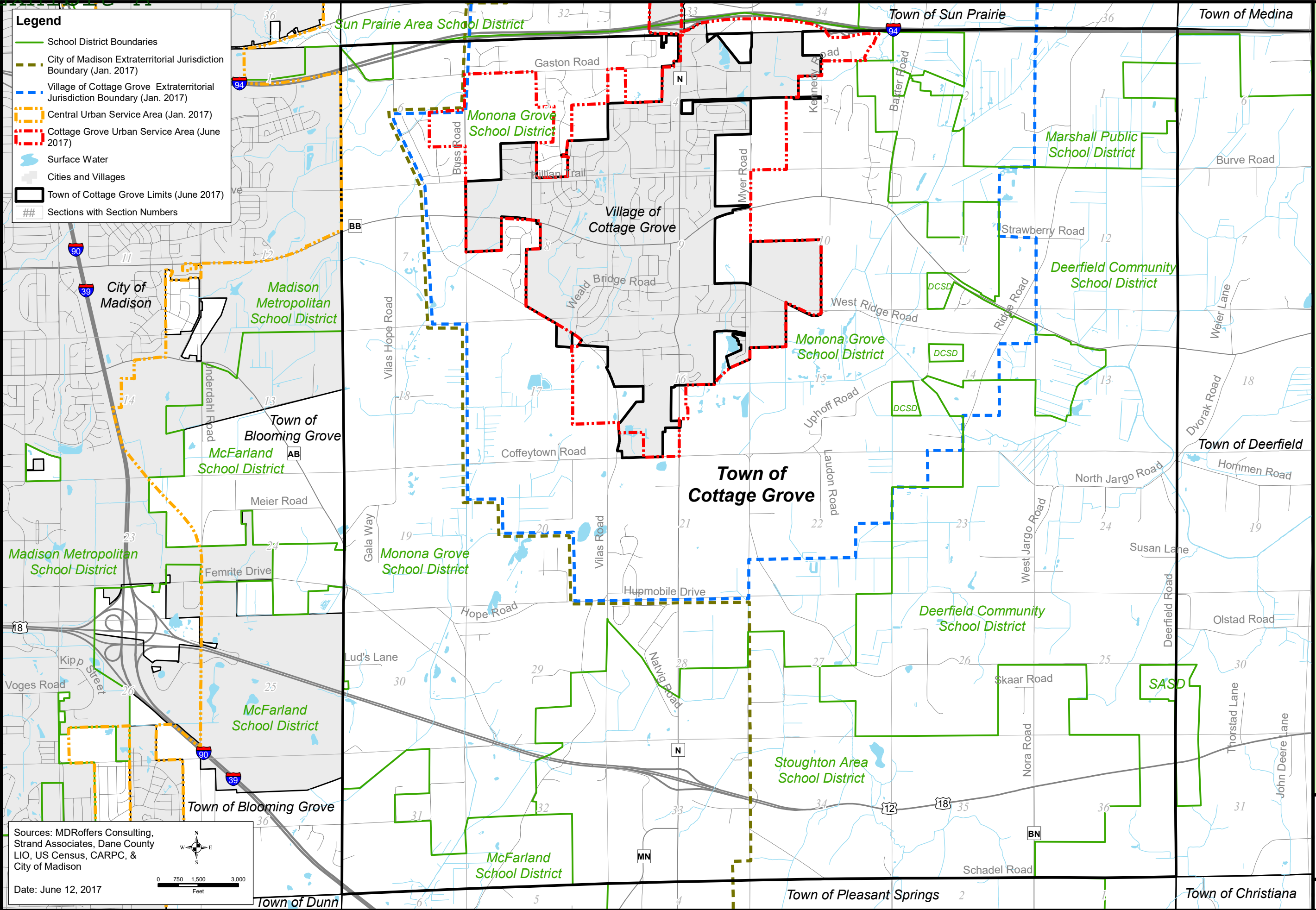
Exhibit A: Amended Map 1, Comprehensive Plan, Conditions and Issues Volume

Exhibit B: Amended Map 10, Comprehensive Plan, Vision and Directions Volume

Exhibit C: Text Amendments, Comprehensive Plan, Vision and Directions Volume

Exhibit A

- Legend**
- School District Boundaries
 - City of Madison Extraterritorial Jurisdiction Boundary (Jan. 2017)
 - Village of Cottage Grove Extraterritorial Jurisdiction Boundary (Jan. 2017)
 - Central Urban Service Area (Jan. 2017)
 - Cottage Grove Urban Service Area (June 2017)
 - Surface Water
 - Cities and Villages
 - Town of Cottage Grove Limits (June 2017)
 - ## Sections with Section Numbers



Sources: MDRoffers Consulting, Strand Associates, Dane County LIO, US Census, CARPC, & City of Madison

Date: June 12, 2017

0 750 1,500 3,000 Feet

JURISDICTIONAL BOUNDARIES

TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN
DANE COUNTY, WISCONSIN

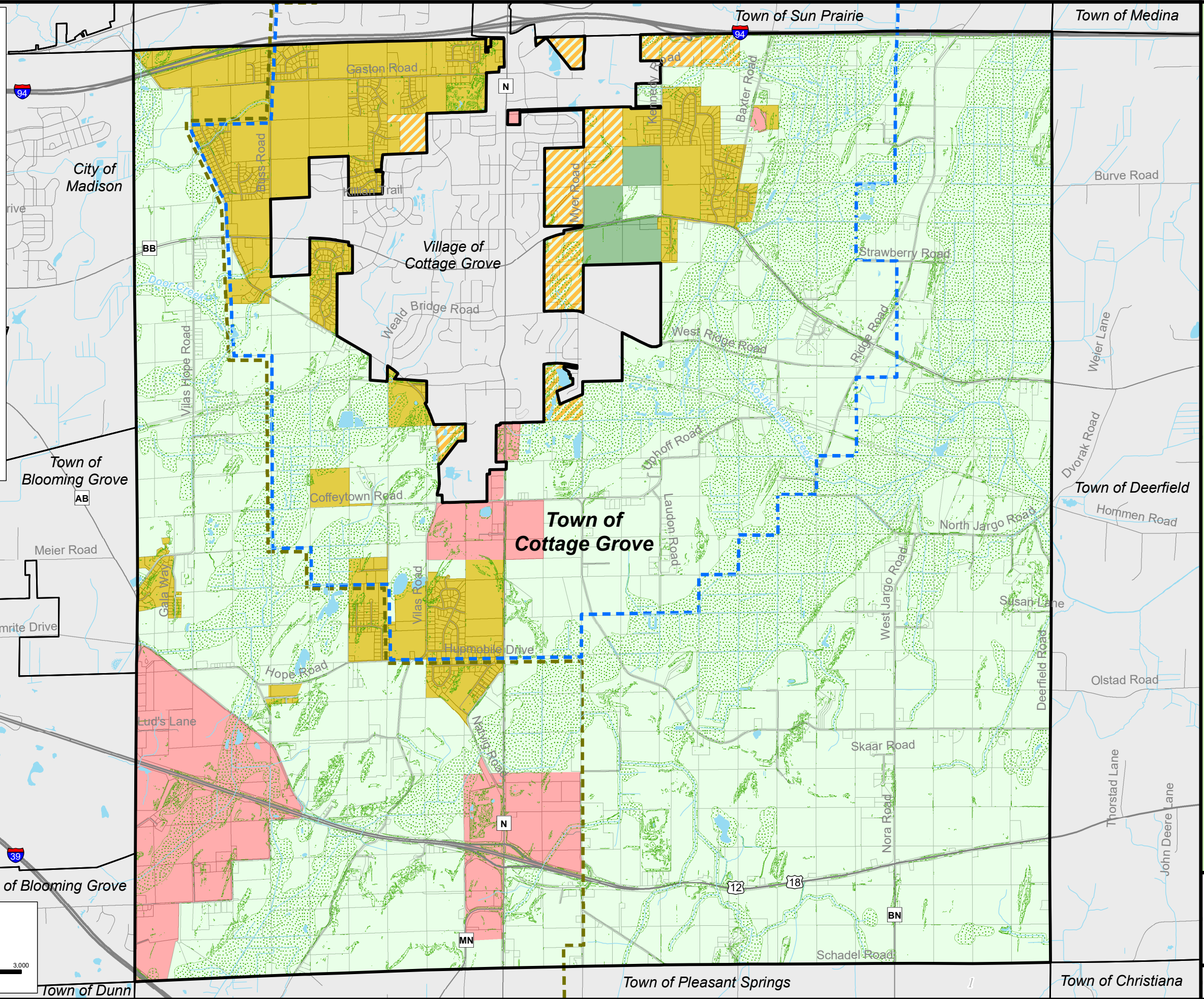


MAP 1

Legend

- Parcels (June 2017)
- Future Land Use Categories**
 - Agricultural Preservation Area
 - Agricultural Transition Area
 - Open Space and Recreation Area
 - Neighborhood Development Area
 - Commercial Development Area
 - Resource Protection Corridor
- City of Madison Extraterritorial Jurisdiction Boundary (Jan. 2017)
- Village of Cottage Grove Extraterritorial Jurisdiction Boundary (Jan. 2017)
- Town of Cottage Grove Limits (June 2017)
- Surface Water

Note: Lands in the Agricultural Preservation Area, including lands also mapped Resource Protection Corridor, may serve as TDR Sending Areas in the Town's TDR program. Lands in the Neighborhood Development Area, and in the Agricultural Transition Area once the Town designates such lands as appropriate for more intensive development, may serve as TDR Receiving Areas. See Land Use chapter for further details.



Sources: MDRoffers Consulting, Strand Associates, FEMA, WI DNR & Dane County LIO

Date: June 12, 2017

FUTURE LAND USE

TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN
DANE COUNTY, WISCONSIN

MAP 10

Exhibit C: Text Amendments, Comprehensive Plan, Vision and Directions Volume

1. Amend the “TDR Program Purpose” section in Figure 3: Transfer of Development Rights (TDR) Program to read as follows (only underlined text is new):

The Town of Cottage Grove has adopted and utilizes a transfer of development rights (TDR) program, which has the following purposes:

- Maintain the Town’s rural, agricultural character.
- Preserve large viable areas of farmland with a minimum of non-farm divisions.
- Allow farmers to collect a reasonable non-farm value on their land without dividing lots.
- Transfer RDUs towards areas of existing development and services.
- Help ensure the long-term viability and land base of the Town.

2. Repeal and replace policy 2 within the “Development Policies for Agricultural Preservation Area” section in Figure 4: Agricultural Preservation Area Purpose and Policies as follows:

2. Farm Residences:

- a. A farm residence built before May 15, 1982 shall not count against this density policy, except where separated from the 1982 parcel. Separation of the farm residence from the 1982 parcel requires use of one RDU per Figure 2, and must also meet all zoning and other requirements.
 - b. One-time replacement of a farm residence with a new residence for the farm operator shall be allowed without counting against this density policy, provided that the pre-existing farm residence will be demolished. This one-time limitation does not apply when a farm residence or its replacement is destroyed by wind, fire, or other acts of God.
 - c. Separation and retention of one lot for a new residence for the farm operator when he or she sells the whole farm shall be allowed, but requires use of one RDU. These separated lots will count against the one housing unit per 35 acre density policy.
 - d. New farm residences, as described in Section 10.123(4) of the County zoning ordinance shall be allowed if conditional use standards and other applicable requirements are met, and count against the one housing unit per 35 acres policy. If the farm operator chooses to retire in the existing residence, a new farm residence will be allowed for the new operator, but will require use of one RDU.
 - e. Aside from any replacement farm residence under policy 2b, any residence built after May 15, 1982 shall be considered one housing unit for the purposes of this density policy (i.e., require one RDU) regardless of occupant.
3. Amend the “Plan Amendments” section of Chapter 7—Implementation to read as follows (underlined text is new, cross-out text is removed, remainder is pre-existing text that remains):

PLAN AMENDMENTS

Amendments to this *Comprehensive Plan* may be appropriate in the years following initial *Plan* adoption and in instances where the *Plan* becomes irrelevant or contradictory to emerging policy or trends. “Amendments” are generally defined as minor changes to the *Plan* maps or text. The *Plan* will be specifically evaluated for potential amendments once every year, with the process starting in February. Between February 15 and March 15 of each year, the Town will accept requests from property owners, potential developers, and other interested stakeholders for

Plan amendments. Next, the Plan Commission will evaluate any amendment requests (including those generated by Commission or Board members), and recommend appropriate amendments to the Board.

The State comprehensive planning law requires that the Town use the same basic process to amend, add to, or update the *Comprehensive Plan* as it used to adopt the *Plan*. Adoption or amendment of the *Comprehensive Plan* shall comply with the procedures set forth in sec. 66.1001(4)a, Stats. The Town intends to use the following procedure to amend, add to, or update the *Comprehensive Plan*:

- a. The Plan Commission initiates the proposed Comprehensive Plan amendment. This will usually occur as a result of annual Plan Commission review of the *Plan*.
- b. Following an opportunity for public input on the proposed Plan amendment, the Plan Commission recommends Town Board approval (or rejection or modification) of the amendment via resolution.
- c. Following passage of the Plan Commission resolution recommending the amendment, ~~the Town Board will review the recommendation,~~ the Town Clerk ~~will~~ schedules a formal public hearing on the Plan amendment in front of the Town Board and publishes a Class 1 notice at least 30 days before the hearing. The Class 1 notice shall contain the date, time, and place of the hearing, a summary of the proposed Comprehensive Plan amendment, the name of a Town employee to be contacted to provide information about the amendment, the location and time wherein the amendment can be inspected before the hearing, and information about how a copy can be obtained.
- d. Following the public hearing, the amendment may be enacted by the Town Board in the form of an ordinance adopted by majority vote of all the members of the Town Board (not a simple majority of a quorum).
- e. Following Town Board approval of the amendment, the Town Clerk sends copies of the adopted Plan amendment to the Dane County Planning and Development Department for incorporation in the Dane County Farmland Preservation Plan and/or County Comprehensive Plan.
- e.f. Following Dane County action, the Town Clerk ~~shall~~ sends a CD or hard copy of the approved ordinance and Plan amendment to the Pinney Branch of the Madison Public Library, Wisconsin Department of Administration (Division of Intergovernmental Relations), Dane County Clerk, Capital Area Regional Planning Commission, Village of Cottage Grove, City of Madison, and Towns of Sun Prairie, Medina, Deerfield, Christiana, Pleasant Springs, Dunn, Blooming Grove, and Burke.

~~The Town Clerk sends copies of the adopted Plan amendment to the Dane County Planning and Development Department for incorporation in the Dane County Farmland Preservation Plan and/or County Comprehensive Plan.~~