



DANE COUNTY PLANNING & DEVELOPMENT

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TO: County Board Supervisors
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Kim Banigan, Town of Cottage Grove Clerk
Town of Cottage Grove Supervisors
Town of Cottage Grove Planning Commission
All Other Interested Parties

Records & Support

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Zoning

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FROM: Pamela Andros, AICP, Senior Planner

SUBJECT: County Board Ordinance Amendment 2015 OA-029
Town of Cottage Grove Comprehensive Plan Amendment

DATE: November 6, 2015

CC: Todd Violante, Director of Planning & Development
Roger Lane, Zoning Administrator
Karin Thurlow Petersen, County Board Staff

This memo describes amendments to the Dane County Comprehensive Plan proposed by the Town of Cottage Grove. Under intergovernmental cooperation policies of the Dane County Comprehensive Plan, town plans must be adopted by the county board and signed by the county executive before they can be used to make county zoning decisions. To assist county officials in their decision making, the Planning Division prepares written information describing any proposed town plan amendments. You may direct any questions to 261-9780.

I. SUMMARY

On October 28, 2015, the Town of Cottage Grove Board of Supervisors adopted amendments to the *Town of Cottage Grove Comprehensive Plan*. The Town has requested that the Dane County Board of Supervisors adopt the revised *Town of Cottage Grove Comprehensive Plan* as an amendment to the *Dane County Comprehensive Plan*.

II. BACKGROUND

A. Ordinance and Plan Amended: If adopted, OA-029 would amend Chapter 82, Subchapter II of the Dane County Code of Ordinances to incorporate the amended *Town of Cottage Grove Comprehensive Plan* as part of the *Dane County Comprehensive Plan*. The complete text of the proposed amendment is available online at: <https://www.countyofdane.com/plandev/planning/news.aspx>

B. Action required: The County Board and the County Executive must approve OA-029 for it to become effective. Town comprehensive plans are adopted as part of the *Dane County Comprehensive Plan* under s.10.255(1)(d), Dane County Code and Intergovernmental Cooperation Policies for Town Governments (pp. 77-78) of the *Dane County Comprehensive Plan*. The *Dane County Comprehensive Plan* is adopted under Chapter 82, Subchapter II, Dane County Code, s. 59.69, Wis. Stats, and s. 66.1001, Wis. Stats.

C. *ZLR public hearing*: The Zoning and Land Regulation Committee (ZLR) advises the County Board on proposed Comprehensive Plan amendments. The ZLR Committee has scheduled a public hearing on OA-029 for **December 22, 2015**.

D. *Sponsors*: OA-029 was submitted by County Board Supervisor Cynda Solberg on November 5, 2015.

III. DESCRIPTION

A. OA-029 would amend the *Dane County Comprehensive Plan* by incorporating amendments to the *Town of Cottage Grove Comprehensive Plan*, as adopted by the Town of Cottage Grove Board of Supervisors on October 28, 2015. This plan builds upon the town's past land use and comprehensive plans.

IV. ANALYSIS

A. Comparison with current county-adopted town plan: Although this plan amendment does build upon the town's past land use and comprehensive plans, this one is more like a full update. The new format is easy to follow and breaking the plan into two volumes (Conditions & Issues and Visions & Directions) makes it easy to use.

My review and analysis focused on the Visions & Directions volume. One very user-friendly formatting feature is inclusion of recurring critical items (purpose, zoning districts, lot size, relationship to TDR policy, etc.) on each Figure. Focusing on the Future Land Use map (map 10) and related policies, there are a few changes from the current County-Board adopted town plan. There is no longer an *Agribusiness & Sustainable Commercial* district or *Limited Commercial* district. Instead, those areas were incorporated into the *Commercial Development Area*. In addition to the two former areas combining into one commercial district, a 9.5 acre parcel formerly in a residential district is now in the commercial district.

The updated plan has new district called the *Agricultural Transition Area*. This area includes land neighboring the Village of Cottage Grove and includes land anticipated for non-agricultural use and development within the next 15 years. This entire area is within the extra-territorial plat review jurisdiction (ETJ) of the Village of Cottage Grove. For this reason, development in this area will require cooperation with the Village. This is also the case for a significant amount of the town's *Neighborhood Development* and *Commercial Development* areas. For example, land identified in the town's plan as *Neighborhood Residential Area*, may fall within a district in the Village's plan that has conflicting policies. Although this dynamic is not new, nor limited just to the town of Cottage Grove, it is worth noting the importance and need for intergovernmental cooperation.

The *Existing Residential* and *Residential – Medium Density* districts were replaced with one residential district – the *Neighborhood Development Area*. The *Neighborhood Development Area* is mapped over existing residential uses and additional land where infill around existing development is encouraged. Approximately 80 acres of land from the *Agriculture* land use district changed to the *Neighborhood Development Area*, and approximately 40 acres of land changed from *Residential - Medium Density* to the *Agricultural Preservation Area*. It is important to realize, because development in *Residential – Medium Density* district requires development rights being transferred from the *Agricultural Preservation Area* of the town, that this change does not equate to a loss of 40 acres of agricultural land. The same situation exists for the land that went into the *Agricultural Transition Area*.

The town's TDR policy was clarified throughout the plan, with an explanation of how each land use designation related to the TDR policy. The town plan also reflects the fact that the town completed a blanket rezone of property into the TDR-S overlay district, reducing one step of the process for those who

wish to utilize the town's TDR program. In the few cases where the land use designation changed from agricultural use to residential use, the land will have to be rezoned to TDR-R before development occurs. Related to intergovernmental cooperation between the town and village, Chapter 10 (Zoning) requires that, within a City or Village ETJ, rezones to TDR-R must be consistent with the City or Village comprehensive plan.

Welcome policy clarifications provided in this plan amendment include clarification of how separation of the original farm residence is treated within the density policy; clarification of commercial development in relation to the density policy, and policies related to rural subdivisions.

B. Consistency with other provisions of the *Dane County Comprehensive Plan*:

1. **Housing:** No significant conflicts found.
2. **Transportation:** No significant conflicts found.
3. **Utilities and Community Facilities:** No significant conflicts found.
4. **Agricultural, Natural & Cultural Resources:** No significant conflicts found.
5. **Economic Development:** No significant conflicts found.
6. **Land Use:** No significant conflicts found.
7. **Intergovernmental Cooperation:** No significant conflicts found.

VI. COMMENTS BY OTHER LOCAL GOVERNMENTS OR STATE AGENCIES

Governments and agencies

Neither other governments nor any county, state or federal agencies had commented on this amendment.