

ORDINANCE 2013 - 3

AN ORDINANCE TO AMEND  
THE TOWN OF ROXBURY COMPREHENSIVE PLAN

WHEREAS, on April 10, 2012, the Town of Roxbury Board adopted the Town of Roxbury Comprehensive Plan (hereinafter "Plan"), under Section 66.1001(4), Wisconsin Statutes; and

WHEREAS, Section 66.1001(4), Wisconsin Statutes, establishes the required procedure for a local government to amend a comprehensive plan once adopted; and

WHEREAS, the Town Board and Plan Commission have identified the need to amend certain policies guiding development within planned "Rural Development and Highway Crossroads" areas, as identified on Map 6: Future Land Use, to reflect the Town's intent; and

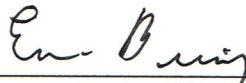
WHEREAS, the Town of Roxbury Plan Commission has the authority and responsibility to recommend amendments to the Plan to the Town Board, under Section 66.1001(4)(b), and has in fact recommended amendments to the Plan included in Exhibit A; and

WHEREAS, such recommendation to amend the Plan has been duly considered by the Town Board; and

WHEREAS, the Town Board has held a public hearing on this ordinance and on the recommended Plan amendments, in compliance with Section 66.1001(4)(d), Wisconsin Statutes, and following such hearing considered public comments and the recommendations of the Town Plan Commission.

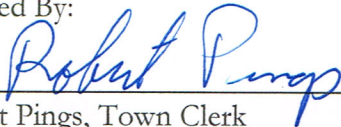
NOW, THEREFORE, BE IT RESOLVED that the Town Board of Roxbury, Wisconsin, does ordain that the amendments to the Town of Roxbury Comprehensive Plan included as Exhibit A are hereby adopted and shall be incorporated into the Town of Roxbury Comprehensive Plan, pursuant to section 66.1001(4)(c), Wisconsin Statutes.

Enacted this 1<sup>st</sup> day of April, 2013.



Ervin Breunig, Town Chair

Attested By:



Robert Pings, Town Clerk

**Exhibit A**  
**Amendments to 2012 Town of Roxbury Comprehensive Plan**

Subsection C4, on pages 55-56 in Chapter Four: Land Use is hereby amended to read as follows. Language that is underlined is new language added to the Comprehensive Plan though this amendment, language that is ~~crossed out~~ is language that is removed from the Comprehensive Plan, and language that is not underlined or crossed out is 2012 Comprehensive Plan language that remains.

**4. Rural Development Area and Highway Crossroads (as shown on Map 6)**

***Objective:***

The *Rural Development Area* is established and mapped on Map 6 to identify certain lands for lower density single-family residential development served by on-site waste disposal systems. Within mapped *Highway Crossroads* areas, there is also potential for commercial, institutional, and recreational development serving the entire Town. The designation of lands in the *Rural Development Area* or *Highway Crossroads* does not imply that an area is immediately appropriate for rezoning. In fact, given service demands and a desire for controlled growth, careful consideration to the timing of zoning decisions is essential.

***Policies:***

- a. **Definition.** For purposes of this *Plan*, “major subdivision” means a division of a lot, parcel, or tract of land for the purpose of transfer of ownership or building development where (1) a single act of division creates 5 or more parcels, lots, or building sites, each less than 35 acres in size; or (2) an act of division results in the creation of 5 or more parcels, lots, or building sites by successive divisions within a period of 5 years, where at least 5 of the parcels, lots, or sites are less than 35 acres in size.
- b. **Require a minimum lot size** for all new lots proposed as building sites in the *Rural Development Area* and *Highway Crossroads* area **of one acre, i b Yggh YHckb 6clfXXMfa j b Yg** soil tests, topography, adjacent water features, or other conditions indicate that a larger minimum lot size is required to provide safe on-site waste treatment or to account for unique topographic or other unique conditions affecting the site. The Town Board will consider a minimum lot size of less than one acre where a group waste treatment system is approved, thereby eliminating the need for drain fields within individual residential lots that the group system serves. Lots for residential building sites should be three acres or fewer, except where the Town Board determines that this maximum is infeasible based on soil testing, topography, adjacent water features, or other unique conditions affecting the building potential of a lot of three acres or fewer.”
- c. **Strongly discourage the rezoning of land for a new major subdivision, or approval of a new major subdivisions plat, where** there are at least five years of supply of unsold rural lots in major subdivisions in the Town, or where the proposed major subdivision is not contiguous to existing major subdivision development.
- d. Limit residential uses to **single-family homes** in the *Rural Development Area*.

- e. Require that all new lots have **frontage on a public road**, unless County subdivision regulations are altered.
- f. Design all new lots to allow for the construction of **driveways** suitable in length, width, design, and slope for emergency vehicle travel, in accordance with the Town's residential driveway ordinance.
- g. Do not allow placement of new buildings within ***Open Space and Environmental Corridors*** on Map 6. Strongly discourage placement of new buildings on *Soils with Building Limitations* on Map 6, and in areas with groundwater near the surface.
- h. Require that placement of **on-site waste disposal systems** meets the standards expressed in the "Utilities and Community Facilities" chapter of this *Comprehensive Plan*.
- i. Require the submittal of **stormwater management and construction site erosion control plans** for new developments in accordance with Town, County and State requirements, including the Town's erosion control ordinance.
- j. Require **parkland dedication or collect fees** in-lieu-of parkland dedication for all new residential subdivisions in accordance with the Town and County subdivision ordinances.
- k. Before the rezoning of lands for development or a formal major subdivision plat approval process, **require the property owner or developer to submit a conceptual neighborhood development plan** (sketch plan) and environmental assessment for the property, showing environmentally sensitive areas that should not be developed (wetlands, stream banks, lakeshore riparian areas, floodplains, hydric soils, soils with low or very low potential for dwellings with basements, and steep slopes), a plan for water detention and runoff, proposed land use and lot pattern, existing and proposed street patterns including connections to neighboring properties, proposed parks or recreational spaces, and a development phasing timetable. Standards for submittal of a sketch plan and environmental assessment are included in the Town's subdivision and land division regulations.
- l. In the design of new major subdivisions ~~of 5 lots or greater~~, meet all requirements of the Town's subdivision and land division regulations, and use standards for achieving **"conservation neighborhood design"** to preserve rural character, protect environmental resources, promote interconnected road patterns, provide attractive development sites, and support recreational opportunities. Conservation neighborhood design techniques are described in the "Housing and Neighborhood Development" chapter of this *Comprehensive Plan*.
- m. In the design of new minor subdivisions (Certified Survey Maps) of four lots or fewer, meet all requirements of the Town's subdivision and land division regulations, and utilize the **development siting standards** included in the "Housing and Neighborhood Development" chapter of this *Comprehensive Plan*.
- n. Allow **commercial and institutional development projects** only within designated *Highway Crossroads* areas (as shown on Map 6), following the standards listed under the "Economic Development" chapter of this *Comprehensive Plan*.