

Vision and Directions Volume

Town of Cottage Grove Comprehensive Plan



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ACKNOWLEDGEMENTS

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ADOPTION AND AMENDMENT HISTORY

ADOPTED

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AMENDED

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June 12, 2017; Town Board Ord. 2017-02; Plan Commission Res. 2017-01 (Amended Maps 1 and 10, Figure 3 related to TDR purpose, Figure 4 related to farm residences, and plan amendment process)

June 18, 2018; Town Board Ord. 2018-02; Plan Commission Res. 2018-01 (Amended Maps 1 and 10)

July 1, 2019; Town Board Ord. 2019-07-01; Plan Commission Res. 2019-01 (Amended figures and text, related to coordination with new County zoning code and policies for Open Space & Recreation Area)

January 18, 2021; Town Board Ord. 2021-01-18; Plan Commission Res. 2020-12-23 (Amended Maps 1 and 10, RDU transfer policies in Figures 3-6, development policy adjustments in Figures 7 and 8, park and recreation policies in Chapter Five, projected Plan update timeline, and other minor changes)



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CHAPTER ONE—VISION AND SUMMARY

PURPOSE

This volume is the second of two parts of the *Town of Cottage Grove Comprehensive Plan*. The first part—the Conditions and Issues volume—contains background information. This second volume includes goals, objectives, policies, and programs to guide the future growth, development, and preservation over the next 10 to 20 years. More than just a land use plan, this volume of the *Comprehensive Plan* provides the Town’s vision and directions related to farmland preservation, natural resource protection, recreation, transportation, housing, economic development, intergovernmental relations, and other factors that affect the Town’s future.



PLAN ORGANIZATION

The chapters of this Vision and Directions volume track the nine elements required under Wisconsin’s comprehensive planning law. Each chapter provides a goal, objectives, policies, and programs for the covered element(s), described as follows:

- **Goals** are broad, advisory statements that express general priorities, based on key issues, opportunities and problems that affect the community.
- **Objectives** are more specific than goals. Objectives are usually attainable through policies and programs. Accomplishment of an objective contributes to fulfillment of a goal.
- **Policies** are rules or courses of action used to ensure plan implementation and to accomplish the goals and objectives. Success in achieving policies is usually measurable.
- **Programs** are specific projects or services advised to achieve plan goals, objectives, and policies. Depending on the chapter, programs may be combined in the same list as policies or may be separated. These separate programs are the main initiatives the Town intends to undertake to implement its *Comprehensive Plan*.

The final chapter of this volume—Implementation—lays out the Town’s overall program for carrying out its *Comprehensive Plan* and keeping it current.

THE TOWN'S VISION

As an early part of the plan-making process, the Town established a vision statement. A vision statement is:

- A presentation of how the Town wishes to look, feel, and be perceived.
- An inspirational and positive view of Cottage Grove and its future that allows the community to explore its opportunities.
- A platform for the Town to take advantage of its assets and opportunities.
- A broad framework around which to build more detailed strategies and initiatives, including those in this volume of the *Comprehensive Plan*.

Cottage Grove's vision statement is presented below. The vision statement forms the basis for the remainder of this *Plan* and will serve as a tool for evaluation of community performance. The Town of Cottage Grove's vision should be widely disseminated, posted, understood, and referenced in all key Town decisions.

The Town of Cottage Grove's Vision

At the edge of an expanding urban area, the Town of Cottage Grove is also on the cutting edge of preserving farms and a rural livelihood. The Town...

- Works to preserve its land base, productive farmland, and continued farming.
- Embraces natural resource preservation in an agricultural setting.
- Guides housing development away from farming areas and towards developed areas.
- Encourages rural and agricultural support businesses in planned locations and intensities.
- Provides a quiet location for rural living close to the city.
- Seeks cooperation with neighbors, the County, and State to advance our vision.

SUMMARY OF COMPREHENSIVE PLAN “VISION AND DIRECTIONS”

The Town of Cottage Grove has a rich agricultural heritage, land base, and farming community, and a commitment to long-term agricultural preservation. The vast majority of the Town is planned as an “Agricultural Preservation Area”—particularly most of its eastern and southern sections. Within these areas, the Town seeks to maximize farmland preservation and limit the number of houses to a maximum density of one home per 35 acres.

Even lower densities may be achieved by landowner choice, or through the transfer of development rights away from Agricultural Preservation Area.

This may be accomplished under the Town’s Transfer of Development Rights (TDR) program. The Town desires to expand activity in its TDR program by clarifying and re-publicizing the program, providing training, continuing to maintain a list of interested property owners, and seeking greater intergovernmental acknowledgement and coalitions of political support.



Owing to its proximity to Madison and major highways, the Town has a relatively diverse land use pattern, including agriculture, mineral extraction, natural areas, rural residential subdivisions and home sites, and business development along Highways 12 and N. The Town anticipates this pattern to continue, in accordance with a future land use map and the policies that guide zoning and other decisions in different parts of the Town. If successfully negotiated, intergovernmental agreements will also influence this pattern.

The Town’s future land use map identifies several different types and areas of future land use. Large areas for continued agricultural preservation are envisioned in the southern and eastern parts of the Town. A notable exception is along U.S. Highway 12/18 at the County Highway N interchange, where the Town encourages commercial development. Commercial development—aside from farm-based and home-based businesses is planned in a few other areas near the City of Madison and Village of Cottage Grove. Additional residential development—marked as “Neighborhood Development Area” on the future land use map—is envisioned in and around areas of existing subdivisions, mainly between the City and Village.

This *Comprehensive Plan* identifies a short set of programs or initiatives for potential implementation over the next several years. The Town's top implementation priorities include the following.

- Expand Activity in the Town's TDR Program
- Focus Commercial Development near the Highway 12/18/N Interchange
- Participate in WisDOT Planning Efforts for Highway 12/18
- Pursue Agreements with Village of Cottage Grove and City of Madison
- Update this *Comprehensive Plan* by 2024-25

Finally, to keep this *Plan* a living, breathing document, the Town will also evaluate it and consider amendments on a regular cycle.

CHAPTER TWO—AGRICULTURAL, NATURAL & CULTURAL RESOURCES

This chapter contains goals, objectives, policies, and programs to guide the future preservation and use of agricultural, natural, and cultural resources. This chapter does not directly address the use of natural resources for recreation; instead see Chapter Five. Background information for this chapter is in the Conditions and Issues volume.

AGRICULTURAL RESOURCE GOAL

Preserve and protect productive farmland, enabling farmers to maintain their livelihood.

AGRICULTURAL RESOURCE OBJECTIVES

1. Preserve productive farmlands for continued agricultural use.
2. Limit the amount and guide the placement of housing and other non-agricultural uses in agricultural preservation areas.
3. Support opportunities for farmers to obtain non-farm income from farm parcels.

AGRICULTURAL RESOURCE POLICIES

1. Plan most of the Town as an “Agricultural Preservation Area,” with most of these lands zoned FP-35 General Farmland Preservation. Map 10, within Chapter Three—Land Use, shows the location of the Agricultural Preservation Area.
2. Limit the number of houses in the Agricultural Preservation Area to a density of one home per 35 acres or less, by following the Town’s residential density unit (RDU) principle. The RDU principle is a way of allocating landowner abilities to develop new homes on their properties. RDUs are described in more detail in Figure 2: Residential Density Unit (RDU) Principle.
3. Direct new subdivisions and other major non-agricultural developments away from the Agricultural Preservation Area, by planning for denser developments in other areas and via the Town’s Transfer of Development Rights (TDR) program. The TDR program is described in greater detail below and in Chapter Three—Land Use.
4. Guide the placement of new houses permitted in the Agricultural Preservation Area to less productive soils and field edges, promote the clustering (grouping) of more than one home site, and generally limit new lots to a maximum of two acres each. For additional detail, see Figure 4 in the Land Use chapter.
5. Allow home occupations and farm family businesses on farm parcels to supplement farming income, following allowable uses and standards in the zoning ordinance.
6. Support farmland preservation tax credits, use value assessment, farm law reform, and other County, State, and federal programs that encourage continued use of land for farming.
7. Encourage agricultural growth and diversification, including production agriculture, on-farm value added processing, small and organic farms, and agritourism.

AGRICULTURAL RESOURCE PROGRAMS

Expand Activity in Town's Transfer of Development Rights (TDR) Program

The Town of Cottage Grove was one of the first towns in the State and the first in Dane County to establish a Transfer of Development Rights (TDR) program. The TDR program is a lynchpin of the Town's agricultural preservation and growth management strategy.

In general, the Town seeks to keep residential development density in planned Agricultural Preservation Areas *below* a density of one home per 35 acres. This is accomplished by allowing landowners within these areas to sell their rights to develop new homes to property owners in other parts of the Town. These other parts of Town are designated as "Neighborhood Development Areas" or "Agricultural Transition Areas" on Map 10 in the Land Use chapter. Within these TDR receiving areas, each "residential density unit" enables the development of eight additional homes. Figures 2 and 3, within Chapter Three of this Vision and Directions volume, provide substantially more detail.

The Town's TDR program has witnessed limited activity since its inception in the early 2000s. This was due, initially, to learning and challenges associated with program implementation. Then, in the late 2000s, the residential development market virtually shut down. The fact that all of the TDR receiving areas are within the extraterritorial jurisdiction of either the Village of Cottage Grove or City of Madison, where those units have not usually been supportive of Town subdivisions, has also been an impediment.

The Town seeks to encourage greater activity in its TDR program, by:

- **Clarifying the TDR program.** To date, the program may not have been well understood by the property owners who may benefit from it. This Town *Comprehensive Plan* improves description of the TDR program, particularly through the figures and map in Chapter Three.
- **Re-publicizing the TDR program.** Since its inception, there are a number of new property owners and developers who may not be aware of the program. Others may not be aware it still exists, or to what extent.
- **Providing TDR program training.** Beyond just advising property owners about the TDR program, the Town may undertake specific activities to train "sending" and "receiving" area property owners (and their representatives) of the opportunities and steps to execute a TDR transaction.
- **Continuing to maintain an interested owner list.** The Town Clerk will continue to maintain a database of those property owners who may be interested in selling their development rights, and link buyers to sellers wherever practical.
- **Revisiting the list of properties zoned TDR-S.** In 2011, numerous potential TDR Sending Area properties in the Town were zoned into the TDR-S Sending Area Overlay Zoning District. The Town and County should review these properties against Map 10: Future Land Use. Only Agricultural Preservation Area and Open Space and Recreation Area lands on Map 10 should be zoned TDR-S.
- **Seeking intergovernmental acknowledgement.** Securing, through intergovernmental agreement(s) with the Village and/or City, areas where the Village and City will not stand in the way of residential subdivision development in the Town.

- **Building coalitions of political support.** Dane County, Capital Area Regional Planning Commission, State Department of Agricultural Trade and Consumer Protection (DATCP), Dane County Towns Association, Farm Bureau, Natural Heritage Land Trust, and other public non-profit organizations are natural fits to build TDR program support and overcome political obstacles to implementation.

Consider Nominating an Agricultural Enterprise Area in the Town

Given the large, continuous blocks of productive agricultural land in the southern and eastern parts of the Town, the Town may pursue with area farmers nomination of much of its planned Agricultural Preservation Area as an “Agricultural Enterprise Area,” or AEA. DATCP designation of an AEA in the Town would help preserve farmland by increasing tax credits for interested property owners. An AEA would also establishing an even stronger intergovernmental (and property owner) commitment to preserving farmland in the Town, which may limit significant annexations of Town land.

DATCP accepts petitions for nomination of new AEAs each year, usually in the spring. Petition materials are located [here](#). The Town will need to engage area farmers before submitting a petition, as at least five farmers in the proposed AEA must sign the petition (more recommended). Also, the Town may explore opportunities for a multi-town AEA. Given similar agricultural and rural development focuses in neighboring communities, namely in the Towns of Deerfield and Pleasant Springs, a multi-town AEA would be appealing for DATCP.

What are Agricultural Enterprise Areas?

Agricultural Enterprise Areas (AEAs) are a creation of the State Working Lands Initiative, adopted by the Legislature in 2009.

An AEA is defined as a contiguous land area devoted primarily to agricultural use and locally targeted for agricultural preservation and agricultural development. AEAs preserve areas considered most valuable for current and future agricultural use, promote the development of agricultural businesses, and ensure eligibility of farm owners for enhanced tax credits through farmland preservation agreements. Farmers within an AEA who sign a 15 year farmland preservation agreement may collect a tax credit of \$10 per acre (as opposed to the normal \$7.50 per acre credit).

The State DATCP is authorized to designate up to one million acres in AEAs total statewide, upon petitions from interested local units of government in partnership with local farmers. At time of writing, DATCP designated three AEAs in Dane County—in the towns of Dunn, Windsor, and Vienna (with small portion of Westport).

More information on the State’s AEA program may be found by clicking [here](#) in digital versions of this volume.

NATURAL RESOURCE GOAL

Preserve the Town's glacial heritage and other natural resources.

NATURAL RESOURCE OBJECTIVES

1. Preserve and celebrate prominent glacial features in the Town.
2. Protect surface water resources, especially the Door and Koshkonong Creeks.
3. Encourage water quality and soil conservation in farms and non-farm uses.

NATURAL RESOURCE POLICIES AND PROGRAMS

1. Preserve the Town's examples of special landscape features, including wooded drumlins, wetlands, prairie remnants, and woodlots.
2. Direct new development away from wetlands, 100-year floodplains, 75 foot shoreland setbacks and wetland buffers, and slopes greater than 20%, as depicted separately on Map 3 within the Conditions and Issues volume and together as the Resource Protection Corridor on Map 10 of this volume.
3. Support detailed mapping of natural resource features where it is apparent that a development proposal may impact these features or that existing delineations, data, or maps are in error. Delineations of resources on Map 3 in the Conditions and Issues volume, as combined as the Resource Protection Corridor on Map 10, are derived from generalized sources or models. They are often not 100% accurate.
4. Before approving any changes in land use, consider the impact of the change on wildlife habitat, potential locations of rare plant and animal species, and archeological sites. The presence and locations for rare species are available from the Wisconsin Department of Natural Resources and for archaeological sites from the State Historical Society.
5. Protect and improve the quality of surface water and groundwater within the Town through participation in intergovernmental efforts, proper placement and design of new development projects, and continuing to enforce agriculture siting regulations under ATCP 51, as outlined in Section 20.04 of the Town of Cottage Grove Code.
6. Require construction site erosion control and ongoing stormwater management measures that control the quality, quantity, and (where necessary) temperature of water leaving any site in line with the Chapter 14: Manure Management, Erosion Control, and Stormwater Management of the Dane County zoning ordinance.
7. Cooperate with Dane County and other community partners on plans for protection for the Door Creek Wetlands and Blooming Grove Drumlins Natural Resource Areas.
8. Coordinate with the Village of Cottage Grove on the identification of wellhead protection areas, and direct non-farm uses that could negatively affect groundwater quality away from these areas.

CULTURAL RESOURCE GOAL

Promote and protect the qualities that enhance the Town's rural heritage and identity.

CULTURAL RESOURCE OBJECTIVES

1. Use farmland and historic resources as defining aspects of the Town's character.
2. Seek opportunities to identify the unique aspects of the Town of Cottage Grove.

CULTURAL RESOURCE POLICIES

1. Value natural and cultural resources as focal points of natural beauty, recreation, and spiritual uplift.
2. Encourage preservation of historically significant structures and archeological resources when specific sites are proposed for development and during highway projects.
3. Request more detailed information from the State Historical Society for when a specific development proposal is offered in an area where there is a known or possible historic or archeological site, if its precise location and character is not readily apparent.

4. Encourage new development forms that celebrate the Town's agricultural heritage. Examples include grouping new residences together at the end of a driveway or road to look like a historic farmstead, incorporating existing farm outbuildings in a new development project, or promoting new building styles consistent with historic styles.

5. Encourage agritourism to celebrate farming heritage and rural way of life, in collaboration with farmers and potentially the Cottage Grove Chamber of Commerce and the Village.

6. Support efforts of the Cottage Grove Area Historical Society to preserve, document, and communicate the area's history and cultural heritage.

7. Minimize development and preserve scenic qualities along Nora Road—the Town's "Rustic Road"—and pursue designation of other roads as Rustic Roads. See the Conditions and Issues volume for more information on Rustic Roads.

8. In collaboration with the Chamber of Commerce and Village, participate in efforts to update the "brand" of the Cottage Grove area and maintain and update community entryway signs.

What is Agritourism?

Agritourism, as it is defined most broadly, involves any agriculturally based operation or activity that brings visitors to a farm. Agritourism enterprises might include:

- On-farm direct sales, such as "u-pick" operations or roadside stands.
- Outdoor recreation, like horseback and hay rides.
- Educational experiences, such as cooking classes.
- Entertainment and dining, such barn dances, farm breakfasts, and even on-farm restaurants.
- Hospitality services, such as farm stays and tours.

The Town of Cottage Grove currently has a handful of agritourism enterprises. Its agricultural land base, scenic qualities, and close proximity to Madison support these and other enterprises in the future.

CHAPTER THREE—LAND USE

This chapter contains a goal, objectives, policies, and programs to guide future land development in the Town of Cottage Grove. The chapter features a map and detailed policies guiding recommended future land uses and densities, which form the basis for future zoning and land division decisions.

LAND USE GOAL

Provide a relatively diverse land use pattern including farming, rural living, and compatible business opportunities.

OBJECTIVES

1. Focus on agricultural preservation, while protecting Town fiscal viability and borders.
2. Direct new development around areas of existing development and highways.
3. Balance community interest in land use with preservation of landowner rights.
4. Emphasize quality and environmental sustainability in new development projects.
5. Maximize the Town's voice in land use decisions in the Cottage Grove area.

GENERAL LAND USE POLICIES AND PROGRAMS

1. Plan enough area for different types of uses to meet the Town's vision and demand.
2. Follow the land use recommendations mapped and described in this *Comprehensive Plan*, including Map 10: Future Land Use and this chapter's land use policies in Figures 4 through 9.
3. Assure that incompatible land uses are not located in proximity, or screening is provided in instances where incompatibilities might occur.
4. Promote grouping or clustering of allowable development sites to preserve farmland, protect natural resources, and reduce the visual impact of development.
5. Direct rural subdivisions and other non-farm rural developments close to already-developed lands—specifically Neighborhood Development Areas and Commercial Development Areas on Map 10.
6. Pursue collaboration with the Village of Cottage Grove, Dane County, and the City of Madison to achieve shared land use objectives.
7. Pursue amendments to the farmland preservation plan map within the County's Farmland Preservation Plan to correspond with Map 10: Future Land Use.
8. Use the documents listed in Figure 1 as the primary substantive bases for Town decision making on the indicated land use and development approvals. Other Town ordinances and County, State, and federal rules may also apply.

Figure 1: Documents Used to Review Common Development Approval Requests

Plan or Ordinance	Applicable Plan or Ordinance Chapter or Section	Rezoning	Conditional Use Permits	Zoning Variances	Site Plan Approvals	Plats and CSMs
Town Comprehensive Plan	All chapters	✓	✓	✓		✓
County Zoning Ordinance	Chapter 10	✓	✓	✓		
Town Land Division and Planning Code	Chapter 15	✓				✓
County Erosion Control and Stormwater Management Regulations	Chapter 14	✓	✓		✓	✓
Town Design Review Ordinance	Section 12.08		✓		✓	
Town Non-Metallic Mining Regulations	Chapter 17		✓			

RDUs AND TDR

A detailed understanding of two planning and development concepts is critical to understanding the Town's land use planning and growth management direction.

Residential Density Units, or RDUs, is a system of naming and allocating the ability of property owners in the Town to develop land. Transfer of Development Rights, or TDR, is a Town program to enable RDUs to be transferred between parcels.

Figure 2 describes in detail the Town's RDU system and Figure 3 describes the Town's TDR program. Each figure is critical to understanding the policies for the different future land use categories shown on Map 10 and described in later figures in this chapter.

FUTURE LAND USE PATTERN

Map 10: Future Land Use depicts the future land use pattern that the Town envisions. (Map 10 is the first map featured in the Vision and Directions volume of this *Plan*. Maps 1 through 9 are in the Conditions and Issues volume.) Map 10 allocates land uses for a variety of needs anticipated by the Town, presenting recommended future land uses over a 20+ year planning period.

Map 10, along with policies in Figures 4 through 9, guide Town decision making on future land use changes. This Future Land Use map is based on an analysis of development trends; location of areas

logical for future development based on existing development; environmental constraints; anticipated and possible highway improvements; property owner interests; the Town's vision; and the goal, objectives, and general policies and programs in this chapter.

Map 10 and related policies in Figures 4 through 9 will be used as a basis for public and private sector development decisions, including rezonings, conditional use permits, subdivision and land division approvals, and other public or private investments. Changes in land use to implement the recommendations of this *Plan* will generally be initiated by property owners and private developers. In other words, this *Plan* does not compel property owners to change the use of their land.

Not all land shown for development on the Future Land Use map will be appropriate for rezoning and other land use approvals immediately following adoption of this *Plan*. Given market and service demands, the timing and location of development may or may not occur within the context of the 20-year planning period, at the discretion of the Town.

Like other aspects of this overall *Comprehensive Plan*, different circumstances may compel the Town to amend Map 10 over time. These include, but are not limited to, changes in market demand, development trends, and available land supply.

The land use pattern suggested by Map 10 is consistent with historic land uses for agriculture, non-farm development, and natural areas. Large areas for continued agricultural preservation are envisioned in the southern and eastern parts of the Town. A notable exception is along U.S. Highway 12/18 at the County Highway N interchange, where the Town encourages commercial development. Commercial development (aside from farm-based and home-based businesses) is planned in a few other areas near the City of Madison and Village of Cottage Grove. Additional residential development (Neighborhood Development Area) is envisioned in and around areas of existing subdivisions, mainly between the City and Village.

Map 10: Future Land Use

Figure 2: Residential Density Unit (RDU) System

Purpose and Definition																			
A Residential Density Unit (RDU) is defined as the ability of a property owner in the Town to develop or maintain one housing unit on the same property, subject to the density and other policies in this <i>Plan</i>. Properties are allocated RDUs based on their area. The Town enables RDUs to be: • Developed on the same parcel where they originated, in which case one RDU may be used to construct a single family residence, two RDUs may be used for one duplex, etc., based on <i>Plan</i> policies and zoning district rules; • Transferred from that parcel to another parcel where consistent with the Town’s Transfer of Development Rights (TDR) program, described in Figure 3, where in some cases the number of permitted housing units per RDU may be multiplied per a designated TDR transfer ratio; or • Some combination of on-site use or transfer, if there are a sufficient number of RDUs remaining on the parcel.																			
Residential Density Unit (RDU) Allocation																			
1. All parcels that are at least 35 acres and not planned as a Commercial Development Area on Map 10: Future Land Use are assigned RDUs based on the following schedule: <table><tr><th>Gross Area of May 15, 1982 Parcel</th><th>RDUs</th></tr><tr><td>35 acres or more but less than 70 acres</td><td>1</td></tr><tr><td>70 acres or more but less than 105 acres</td><td>2</td></tr><tr><td>105 acres or more but less than 140 acres</td><td>3</td></tr><tr><td>140 acres or more but less than 175 acres</td><td>4</td></tr><tr><td>175 acres or more but less than 210 acres</td><td>5</td></tr><tr><td>210 acres or more but less than 245 acres</td><td>6</td></tr><tr><td>245 acres or more but less than 280 acre</td><td>7</td></tr><tr><td>280 acres or more but less than 315 acres</td><td>8</td></tr></table>		Gross Area of May 15, 1982 Parcel	RDUs	35 acres or more but less than 70 acres	1	70 acres or more but less than 105 acres	2	105 acres or more but less than 140 acres	3	140 acres or more but less than 175 acres	4	175 acres or more but less than 210 acres	5	210 acres or more but less than 245 acres	6	245 acres or more but less than 280 acre	7	280 acres or more but less than 315 acres	8
Gross Area of May 15, 1982 Parcel	RDUs																		
35 acres or more but less than 70 acres	1																		
70 acres or more but less than 105 acres	2																		
105 acres or more but less than 140 acres	3																		
140 acres or more but less than 175 acres	4																		
175 acres or more but less than 210 acres	5																		
210 acres or more but less than 245 acres	6																		
245 acres or more but less than 280 acre	7																		
280 acres or more but less than 315 acres	8																		
2. The size of the parcel shall be expressed in whole numbers, allowing rounding of fractional amounts of ½ of greater. For example, if a property owner has 69.50 acres, it is considered 70 acres for the purpose of allocating RDUs under subsection 1 above. But if an owner has 69.49 acres, it is considered 69 acres.																			
3. Gross area of parcels shall be used when calculating RDUs, which may include roads, utility easements, and navigable waterways. Gross area will be determined using the most accurate source of parcel size information available, with Dane County digital parcel data being the preferred source in the event of disagreement.																			
4. RDUs shall be determined for each parcel of land in contiguous single ownership as it existed on May 15, 1982, and shall run with that parcel going forward regardless of change of ownership or division. Land transfers occurring after May 15, 1982 do not result in new allotments of RDUs.																			
5. Once the RDUs associated with a particular May 15, 1982 parcel are used, no further housing units may be built upon or transferred from that parcel. The Town will require a deed restriction prohibiting further residential development on that portion of the parcel owned by the petitioner requesting the final split(s)/housing unit(s). The Town will also require a deed notice document be placed on all other parcels comprising the May 15, 1982 parcel.																			
6. Because RDUs “run with the land” and not the owner, a person purchasing land should verify whether the sale does or can include any RDUs, or if the seller or a previous owner has already used them. Verification may take the form of a sales contract, deed, affidavit, or written agreement. When land sales after May 15, 1982 are not accompanied by such verification, at the time of a development proposal the Town will attempt to determine the intent of the land sale by requesting testimony from all affected landowners. The Town may also consider site characteristics to determine if a land transfer included an RDU, such as road access, soil suitability, farming history, and environmental features. The Town will share this information with the County Department of Planning and Development, and may request that an agreement or affidavit be filed with the Register of Deeds clarifying the status of remaining RDUs. In all cases, the Town requires the applicant to obtain a County Density Study.																			
7. See Figures 4 through 9 for particular areas of the Town and types of land use where RDUs do not apply. See the “Relationship to Town’s TDR Program” and “Development Policies for Agricultural Preservation Area” sections of Figure 4 for a description of the relationship between RDUs and older lots and farm residences, including their separation from the farm.																			

Figure 3: Transfer of Development Rights (TDR) Program (two-page figure)

TDR Program Purpose	
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.	
TDR Program Procedures	
1. Town participation in the Dane County TDR Program is established through Section 15.15 of the Town Land Division and Planning Code and Sections 10.304 and 10.305 of the Dane County Zoning Ordinance. These County zoning ordinance sections have procedures for implementing the Town’s TDR program, beyond those listed below. 2. The Town maintains a list of owners interested in selling RDUs under the TDR program. To be included on that list, an interested property owner should contact the Town Clerk, indicating the number of RDUs he/she would potentially be interested in selling/transferring from the property. That number will be subject to confirmation by a density study performed by Dane County, based on remaining RDUs on the land. 3. Lands within each TDR Receiving Area will require rezoning to a rural homes or residential underlying zoning district, along with a TDR-R Receiving Area Overlay Zoning District. In an effort to facilitate use of the TDR program, the Town and County in 2011 completed a blanket rezone of numerous areas within the planned Agricultural Preservation Area to the TDR-S Sending Area Overlay Zoning District. If, however, the TDR Sending Area parcel was not among those rezoned to TDR-S in 2011, the Sending Area parcel would need to be zoned into the TDR-S district. 4. Prior to each rezoning and land division/subdivision application associated with a TDR transaction, the Town encourages the Receiving Area developer to first secure an option to purchase (or another legally recognized tool) to enable the future purchase of RDUs from a Sending Area owner. The developer is encouraged not to complete the final transaction to acquire RDUs at this time, in the event that not all required development approvals can be secured after this time for whatever reason. 5. To assure that the conveyance of RDUs is properly tracked on each Sending Area property, RDUs are in fact conveyed, and the sending area property is restricted, a “TDR Agricultural Conservation Easement” (“TDR Easement”) shall be executed and recorded over the Sending Area property each time an RDU is sold or transferred under the TDR program. The TDR Easement must meet, at a minimum, all of the requirements of Sections 10.004(153) and 10.304(4)(b)) of the Dane County Zoning Ordinance. 6. To note the use of RDUs within the Receiving Area, a “TDR Notice Document” shall be recorded against all new lots in the Receiving Area. The TDR Notice Document must, at a minimum, meet all of the requirements of Sections 10.004(110) and 10.305(5)(c) of the Dane County Zoning Ordinance. It may also indicate remainder housing units, if any, as provided in Section 5 of the “TDR Receiving Areas” section of this Figure 3. 7. County zoning approval will become effective and the subdivision plat or CSM may be recorded only after evidence is provided to the Town and the Dane County Zoning Administrator that the required TDR Easement is recorded against the Sending Area parcel(s). Also, before obtaining zoning and building permits for new development in the Receiving Area, the developer must provide all of the following to the Town and to the Dane County Zoning Administrator: a. Recorded TDR Notice Document on the affected Receiving Area lot. b. A letter or minutes from the Town of Cottage Grove Plan Commission indicating that the TDR transaction is consistent with transfer ratios, siting criteria, and all other applicable policies of the <i>Town of Cottage Grove Comprehensive Plan</i> and applicable ordinances. c. A letter from the Dane County Department of Planning and Development, Planning Division indicating that the TDR transaction is consistent with the Dane County Comprehensive Plan and Zoning Ordinance.	

TDR Sending Areas	TDR Receiving Areas
1. TDR Sending Areas are lands from which development rights (RDUs) could be transferred away through (a) the rezoning of such lands to the County's TDR-S Overlay Zoning District, (b) the recording of a TDR Easement against such lands. The Town's 2011 blanket rezoning zoned most, but not all, eligible properties to TDR-S. 2. To qualify as a Sending Area, the land must be planned as an Agricultural Preservation Area or an Open Space and Recreation Area on Map 10: Future Land Use and have at least one RDU to transfer. 3. At the time of an RDU transfer, the Sending Area land must be zoned FP-35 or FP-1 and also be rezoned into Dane County's TDR-S Overlay Zoning District (if not already) and be subject to a TDR Easement, which will not alter the underlying FP-35 or FP-1 zoning.	1. TDR Receiving Areas are those areas to which development rights (RDUs) may be transferred, enabling greater development density than would otherwise be allowed in exchange for the permanent protection of lands within a TDR Sending Area. RDU transfers, and ratios of transferred RDUs to new housing units enabled, differ depending on how the TDR Receiving Area is designated on Map 10: Future Land Use, as may be amended from time to time. 2. Within TDR Receiving Areas, the Town Plan Commission and Town Board will consider petitions by landowners to rezone all or part of their property to a residential or rural homes zoning district and the TDR-R Receiving Area Overlay Zoning District. The Town Board will support petitions to rezone and divide TDR Receiving Areas based on the following criteria: a. Consistent with vision, goals, objectives, and policies of this <i>Comprehensive Plan</i>. b. Meets the purpose of the TDR-R district in 10.305(1) of the County Zoning Ordinance. c. Minimizes the amount of land taken out of agricultural production. d. Avoids developing lands in the Resource Protection Corridor in Map 10: Future Land Use. e. Meets the purpose and all policies applicable to the future land use category mapped over the land. f. Creates a logical development pattern. g. Avoids or minimizes land use conflicts. h. Has identified and ultimately secured a sufficient number of RDUs to create the number of lots proposed. 3. For permitted RDU transfers to an Neighborhood Development Area, or to an Agricultural Transition Area where the Town Board has determined that the land is ripe for more intense development per Figure 5, a transfer ratio incentive is built in so that landowners and RDU buyers have an incentive to transfer RDUs to such Receiving Areas. These are areas where compact housing development is more appropriate than Agricultural Preservation Areas. The incentive is that someone can buy one RDU from a Sending Area and develop more than one housing unit with that RDU in the Neighborhood Development or Agricultural Transition Receiving Area. Based on technical review and public input, the Town of Cottage Grove has determined that an economically reasonable transfer ratio is 8-to-1. A transfer ratio of 8-to-1 means that, for each RDU transferred from a Sending Area to a Receiving Area that is also designated as a Neighborhood Development Area or Agricultural Transition Area on Map 10, that Receiving Area developer would be able to develop eight housing units above the number of housing units allocated to the May 15, 1982 parcel (see Figure 2), provided that the developer meets all other applicable regulations and policies. 4. The Town may also allow limited transfers of RDUs at a 1-to-1 transfer ratio under the following conditions: a. Both parcels must be within the Agricultural Preservation Area on Map 10, except as allowed in Figure 5 for Agricultural Transition Areas and Figure 6 for Open Space and Recreation Areas. b. For each RDU transferred, the Receiving Area land owner would be able to develop one housing unit above the number of housing units allocated to the May 15, 1982 parcel. There is no transfer ratio incentive. c. The site <u>to</u> which the RDU is to be transferred must be less suitable for agricultural use than the parcel <u>from</u> which the RDU is to be transferred, as determined through an evaluation of the County Land Conservation soil groupings, unless no other acceptable locations are available. d. The development density of the contiguous ownership to which the RDUs are to be transferred shall be consistent with the purpose of the future land use category mapped over the Receiving Area property. e. The proposed residential lot(s) to result from the transfer must be at least 1,320 feet from any existing mineral extraction operation, livestock structure housing 500 or more animal units, or both, except if such operation(s) is on property owned by the Receiving Area applicant. f. All "Development Policies for Agricultural Preservation Area" in Figure 4 must be met. 5. RDUs must either be used on-site or transferred from a specific Sending Area parcel to a specific Receiving Area parcel. Where RDUs are legally transferred, but not immediately used for the development of housing units on a Receiving Area parcel, the ability to construct such housing units may remain with that Receiving Area parcel for future use there. For example, if the owner or developer of a Neighborhood Development Receiving Area parcel acquired two RDUs from a Sending Area parcel, but did not initially subdivide lots for all of the 16 additional housing units enabled by the transfer, he or she could hold to a later date the ability to build the remaining housing units on the Receiving Area parcel. Except where expressly allowed prior to January 18, 2021, no remainder housing units may be transferred by the Receiving Area parcel owner to a different Receiving Area parcel, whether or not the different parcel is owned by the same entity.

Figure 4: Agricultural Preservation Area Purpose and Policies (two-page figure)

Purpose	
• Preserve productive agricultural lands and farming in the long-term. • Protect existing farm operations from encroachment by incompatible uses. Farming often involves noise, dust, odors, heavy equipment, use of chemicals, and long hours of operation. • Promote prior and continued investments in farming. • Maintain farmer eligibility for incentive programs, such as state income tax credits. • Mapped mainly over lands actively used for farming, with productive agricultural soils, and/or with topographic and other conditions suitable for farming. • Also mapped over open lands and woodlots, farmsteads, and agricultural-related uses. • Allow limited single-family residential development at densities at or below one home per 35 acres. See “Development Policies” below and Figure 2: Residential Density Unit (RDU) Principle. This one housing unit per 35 acre policy does <u>not</u> mandate or even allow the creation of 35+ acre residential lots.	
Typical Implementing Zoning Districts	New Lot Sizes
For agricultural uses, the FP-35 General Farmland Preservation or FP-I Small Lot Farmland Preservation districts are typically used. Where a new farm residence is proposed, a conditional use permit is required by Dane County and the requirements and standards in Section 10.101(7)(d) of the Dane County Zoning Ordinance shall be met. For other new residential lots, the RR-1, RR-2, SFR-1, SFR-08, AT-5, and other districts that allow non-farm residences may be used. Any rezoning away from FP-35 or FP-I must be consistent with applicable development and density policies below, the land must be better suited for a use not allowed in FP-35 or FP-I district, and the rezoning may 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.	Where land is to remain in agricultural use, the FP-35 district has a 35 acre minimum and the FP-I district has a 5 acre minimum and 35 acre maximum. For new lots intended for new residences: • Minimum lot size is 20,000 square feet, provided that soil tests determine that the lot is suitable for an on-site waste treatment system (holding tanks not allowed). • Maximum lot size is 2 acres, except that the Town Board may approve a greater size due to unusual land configuration, to better protect farmland, for commercial uses, and/or to enhance rural or scenic character. For new lots for a farm residence and/or farm building(s) that existed as of May 15, 1982: • Minimum lot size is 20,000 square feet, provided that soil tests determine that the lot is suitable for an on-site waste treatment system (holding tanks not recommended). • Maximum necessary to encompass the farm residence and all farm buildings, but no greater than 10 acres.
Relationship to Town’s TDR Program	
1. See Figure 3: Transfer of Development Rights (TDR) Program for TDR program description. 2. Lands in the Agricultural Preservation Area qualify as TDR Sending Areas, provided that an RDU is available to transfer. 3. There may also be transfers of RDUs between lands within the Agricultural Preservation Area, at a 1-to-1 transfer ratio per applicable policies in Figure 3. 4. Legally created lots zoned residential prior to January 1, 1981 may be developed with residences and divided without having to meet the Town’s RDU and TDR requirements.	

Development Policies for Agricultural Preservation Area

1. **Density:** Permit residences in the Agricultural Preservation Area per the standard of one housing unit per 35 acres owned, as further described in Figure 2: Residential Density Unit (RDU) Principle and to enable RDU transfers under Figure 3: Transfer of Development Rights (TDR) Program.
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 10.103(11) 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. **Rezoning to FP-I:** The number of permitted housing units conferred under this density policy shall not be reduced by rezonings to the County's FP-I district.
4. **Commercial and Other Land Uses:** The Town generally will not support rezoning of lands for commercial use within the Agricultural Preservation Area, except for the expansion of existing businesses at the discretion of the Town Board. In such case, the FP-B Farmland Preservation Business, RE Recreational, or preexisting commercial zoning district is generally appropriate. Non-residential uses shall not count against the one housing unit per 35 acre density policy; in other words, an RDU as described in Figure 2 is not required for non-residential uses.
5. **Subdivision Plats:** Subdivision plats (5+ lots within 5-year period) are allowed within the Agricultural Preservation Area where the number of lots is consistent with the density policy in this section. For example, a 240-acre parcel may be allowed six lots/housing units under the density policy, which would require a subdivision plat.
6. **Substandard Lots:** Allow pre-existing uses on parcels of less than 35 acres as of May 15, 1982 (i.e., substandard lots in FP-35 zoning district) to continue. Substandard lots may be divided as determined on a case-by-case basis at the discretion of the Town Board. No parcel less than 35 acres shall be made into a residential lot.
7. **Existing Residentially Zoned Lands:** Residentially zoned parcels which existed prior to January 1, 1981 and meet all Town, County, and state requirements related to land division are eligible for home construction and potential further division. These parcels are not subject to TDR or the RDU requirements as described in Figures 2 and 3. By extension, such parcels do not have RDUs for transfer, and RDUs may not be transferred to these parcels. The intent of this policy is to facilitate residential infill and increased density residential development that is consistent in character to the existing residentially zoned area. To this end, division of such lands shall result in the creation of lots with similar area, road frontage, and width-to-depth ratio as a majority of the adjacent parcels. Lot sizes may be different from the minimum and maximum in the above "New Lot Sizes" section, based on the sizes of adjacent parcels, unusual land configuration, to better protect farmland, and/or to enhance rural or scenic character.
8. **Residential Development Siting:** The applicant for any rezoning and/or land division approval request that enables a new non-farm residence shall submit, along with the rezoning and CSM/plat approval application, a site plan showing the relationship of each proposed residence to the proposed lot (i.e., buildable area), all proposed residences and lots to the rest of the parcel, and all proposed residences and lots to the features indicated below. At least 80% of the following standards shall be met:
 - a. Direct new non-farm residences and their driveways away from Group I or II soils, depicted on Map 2 of the Conditions and Issues volume, unless no other alignment is possible or all soils on the parcel are so classified.
 - b. Divide all new lots to have frontage on a public road per subdivision regulations; minimize use of flag lots except to achieve other standards in this section.
 - c. Site residences adjacent to tree lines where available and at the edge of open fields rather than the middle.
 - d. Site residences to minimize visibility from public roads, such as through thoughtful placement with respect to existing vegetation and topographic changes.
 - e. Avoid multiple home sites side-by-side along existing roads with multiple driveways and modest building setbacks.
 - f. Limit tree clearance in wooded areas to the area required for the residence, a yard area not exceeding 20,000 square feet, and an area for the driveway.
 - g. If located near the top of a hill or ridge, site the residence so that its roof line is below the hilltop or ridgeline.
 - h. Incorporate home design that either reflects agricultural farmstead architecture or blends with the agricultural or natural environment.
 - i. Place new lots to allow for driveways suitable in length, width, design, and slope for emergency vehicle travel, per the Town's driveway ordinance.
 - j. Avoid building placement within the Resource Protection Corridor, as described in Figure 9 and mapped on Map 10: Future Land Use.

Figure 5: Agricultural Transition Area Purpose and Policies

Purpose	
- Includes lands anticipated for non-agricultural use and development within the next 15 years, and are as a result generally zoned in the County’s AT-35 zoning district. - Preserves land in agricultural or open space use until more intensive future development, such as inclusion in an urban service area, or is appropriate. - Prior to more intensive future development, enable limited single-family residential development at densities at or below one dwelling per 35 acres (see “Agricultural Preservation Area” development policies and Figure 2: Residential Density Unit (RDU) Principles). - Coordinate growth and development planning between the Town and adjacent incorporated municipalities.	
Typical Implementing Zoning Districts	New Lot Sizes
Prior to Town determination that land is ripe for more intensive development, the AT-35 Agricultural Transition district is typically used, along with the RR-1, RR-2, SFR-1, SFR-08, AT-5, RM-8, RM-16, and other districts that allow non-farm residences, per “Agricultural Preservation Area” development policies and Figure 5. After such a determination, any of a number of residential or non-residential zoning districts, depending on development plan.	Same as “Agricultural Preservation Area” prior to the Town’s determination that land is ripe for more intense development. After such a determination per the policies below, same as Neighborhood Development Area. Smaller lot sizes possible where public sewer and water service will be provided.
Relationship to Town’s TDR Program	
- See Figure 3: Transfer of Development Rights (TDR) Program for TDR program description. - Lands in the Agricultural Transition Area may qualify as TDR Receiving Areas with an 8-to-1 transfer ratio, per applicable policies in Figure 3, once the Town designates such lands as appropriate for more intensive development per the “Development Policies for Agricultural Transition Area” below. - Prior to such designation, there may be RDU transfers with a 1-to-1 transfer ratio between and within Agricultural Preservation Areas/Agricultural Transition Areas, per applicable policies in Figure 3.	
Development Policies for Agricultural Transition Area	
- Designation of lands in the Agricultural Transition Area on Map 10: Future Land Use does not guarantee that that area will develop or is even buildable; there may be challenges to building, including soil limitations and other environmental constraints. - For all lands designated as Agricultural Transition Areas near city/village and town limits, pursue intergovernmental boundary agreements or cooperative boundary plans to further determine the type, timing, jurisdiction, services, and other aspects of future development. - Prior to the Town’s determination that lands in an Agricultural Transition Area are ripe for more intensive development: - Follow all development policies applicable to the Agricultural Preservation Area in Figure 4. - Require that all development projects be designed not to impede the orderly future development of the surrounding area with more intensive future development. - Allow RDU transfers with a 1-to-1 transfer ratio, but only per the applicable policies in Figure 3. - The Town Board will consider the following factors when determining whether and when lands in the Agricultural Transition Area are ripe for more intensive development: - Applicable comprehensive plans, zoning regulations, and intergovernmental agreements. - The submittal and detailed understanding of a specific development proposal. - The desire to promote an orderly, sequential pattern of land use to ensure that the provision of public services, roads, and utilities keep pace with development. - The availability of public infrastructure such as road capacity, utility availability or capacity, and other public facilities to serve the proposed development. - If such public infrastructure is unavailable, the projected timing of and funding for public infrastructure improvements to serve the proposed development. - The ability of local governments and the school district to cost-effectively provide community services to the proposed development. - The Town does not intend to require an amendment to this <i>Plan</i> if and when it determines that land in a mapped Agricultural Transition Area is ripe for more intensive development. Policies within either or both of the “Neighborhood Development Area” or “Commercial Development Area” will be followed upon a finding of “ripeness.”	

Figure 6: Open Space and Recreation Area Purpose and Policies

Purpose	
• Maintain permanent open space and assist with community separation • Preserve natural areas, productive agricultural lands, and farming in the long-term. • Maintain farmer eligibility for incentive programs, such as state income tax credits. • Allow limited single-family residential development at densities at or below one home per 35 acres. See “Development Policies” below and Figure 2: Residential Density Unit (RDU) Principle. This one housing unit per 35 acre policy does <u>not</u> mandate or even allow the creation of 35+ acre residential lots.	
Typical Implementing Zoning Districts	New Lot Sizes
For open space uses, NR-C Natural Resource Conservancy is the typical zoning district. For agricultural uses, the FP-35FP-35 General Farmland Preservation or FP-I Small Lot Farmland Preservation districts are typically used. Where a new farm residence is proposed, a conditional use permit is required by Dane County and the requirements and standards in Section 10.101(7)(d) of the Dane County Zoning Ordinance shall be met. For other new residential lots, the RR-1, RR-2, SFR-1, SFR-08, AT-5, and other districts that allow non-farm residences may be used. Any rezoning away from FP-35 or FP-I must be consistent with applicable development and density policies below, the land must be better suited for a use not allowed in FP-35 or FP-I district, and the rezoning may 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.	Where land is to remain in open space or agricultural use, the FP-35 district has a 35 acre minimum and the FP-I district has a 5 acre minimum and 35 acre maximum. For new lots intended for new residences: • Minimum lot size is 20,000 square feet, provided that soil tests determine that the lot is suitable for an on-site waste treatment system (holding tanks not allowed). • Maximum lot size is 2 acres, except that the Town Board may approve a greater size due to unusual land configuration, to better protect farmland, for commercial uses, and/or to enhance rural or scenic character. For new lots for a farm residence and/or farm building(s) that existed as of May 15, 1982: • Minimum lot size is 20,000 square feet, provided that soil tests determine that the lot is suitable for an on-site waste treatment system (holding tanks not recommended). • Maximum necessary to encompass the farm residence and all farm buildings, but no greater than 10 acres.
Relationship to Town’s TDR Program	
1. See Figure 3: Transfer of Development Rights (TDR) Program for TDR program description. 2. Lands in the Open Space and Recreation Area qualify as TDR Sending Areas, provided that an RDU is available to transfer. 3. There may also be transfers of RDUs with a 1-to-1 transfer ratio between and within lands within the Open Space and Recreation Area/Agricultural Preservation Area, per the applicable policies in Figure 3. 4. Legally created lots zoned residential prior to January 1, 1981 may be developed with residences and divided without having to meet the Town’s RDU and TDR requirements.	
Development Policies for Open Space and Recreation Area	
Same as “Agricultural Preservation Area”—see Figure 4.	

Figure 7: Neighborhood Development Area Purpose and Policies (two-page figure)

Purpose	
• Map over and near pre-existing areas of rural residential subdivisions and use (see Map 10). • Promote sustainable residential development by encouraging infill around existing development and incorporating principles of conservation neighborhood design. • Provide opportunities for a range of single family housing choices, including estate and affordable single family housing. • Enable limited neighborhood-serving, small-scale commercial, institutional, and two- and multiple-family residential uses.	
Typical Implementing Zoning Districts	New Lot Sizes
SFR-08 Single-Family Residential and HAM-R Hamlet Residential are typical. HAM-M Hamlet Mixed Use, LC Limited Commercial, TFR-08 Two-Family Residential, and MFR-08 Multi-Family Residential may be used on a limited basis for neighborhood-serving commercial, institutional, and higher-density residential sites. Existing commercial uses/zoning districts may be expanded to include additional land.	Minimum lot size is 20,000 square feet, provided that soil tests determine that the lot is suitable for an on-site waste treatment system (holding tanks not allowed). A larger minimum lot size may be required for commercial, institutional, and two- and multi-family residential uses. Maximum lot size is 1 acre, except to the minimum greater size necessary due to unusual land configuration; to better protect farmland; for commercial, institutional, and two- and multi-family residential uses; and/or to enhance rural or scenic character, as determined by the Town Board.
Relationship to Town’s TDR Program	
1. See Figure 3: Transfer of Development Rights (TDR) Program for TDR program description. 2. Lands in the Neighborhood Development Area may qualify as TDR Receiving Areas, per the policies in Figure 3. 3. For each Residential Density Unit (RDU) transferred from a TDR Sending Area to a Neighborhood Development Area, the developer is able to develop eight housing units above the number of housing units allocated to the May 15, 1982 parcel, provided that the developer meets all other applicable regulations and policies. 4. To build one or more residences on any new lot zoned residential and created after January 1, 1981, the parcel owner must have an RDU based on the acreage he or she owns as further described in Figure 2: Residential Density Unit (RDU) Principle, obtain an RDU originating from a TDR Sending Area, or both. For each RDU assigned to the Neighborhood Development Area parcel per Figure 2, one housing unit will be allowed, subject to compliance with other applicable policies of this <i>Plan</i> and Town ordinances. For each RDU obtained from a TDR Sending Area, the transfer ratio incentive in Figure 3 shall apply. So, for example, an owner of an undeveloped 80 acres in the Neighborhood Development Area who acquires two RDUs from a TDR Sending Area is allowed 16 housing units from the transferred RDUs (2 transferred RDUs x transfer ratio incentive of 8), plus two additional housing units assigned to the 80-acre parcel land area as a base under the RDU principle in Figure 2, for a maximum of 18 housing units. 5. Legally created lots zoned residential prior to January 1, 1981 may be developed with residences and divided without having to meet the Town’s RDU and TDR requirements.	

Development Policies for Neighborhood Development Area

1. Designation of lands in the Neighborhood Development Area on Map 10: Future Land Use does not imply that an area is immediately appropriate for rezoning or guarantee that that area will develop or is even buildable. There may be challenges to building, including soil limitations and other environmental constraints.
2. For all lands designated as Neighborhood Development Area near city/village and town limits, pursue intergovernmental boundary agreements or cooperative boundary plans to further determine the type, timing, jurisdiction, services, and other aspects of future development.
3. Residentially zoned parcels which existed prior to January 1, 1981 and meet all Town, County, and state requirements related to land division are eligible for home construction and potential further division. These parcels are not subject to TDR or RDU requirements as described in Figures 2 and 3. By extension, such parcels do not have RDUs for transfer, and RDUs may not be transferred to these parcels. The intent of this policy is to facilitate residential infill development that is consistent in character to the existing residentially zoned areas. To this end, division of such lands shall result in the creation of lots with similar area, road frontage, and width-to-depth ratio as a majority of the adjacent parcels.
4. Parts of the Neighborhood Development Area, particularly near crossroads and in other locations with heavier traffic, may be appropriate for a limited range of commercial service, retail, and office uses that are compatible with a predominately residential setting. Non-residential uses, rezonings, conditional use permits, and land divisions shall not require an RDU as described in Figure 2.
5. Follow applicable requirements of the Town's Land Division and Planning Code and Town Design Review Ordinance for the development of lands within the Neighborhood Development Area.
6. Meet Town driveway ordinance requirements and permit safe access by fire trucks, ambulances, and any other emergency vehicles. The Town Board or Plan Commission may require notification of the fire chief or other emergency service provider, as well as require their approval of any driveway configuration.
7. Direct the development of private lots to areas outside of the Resource Protection Corridor on Map 10: Future Land Use and to locations that support the safe construction of on-site waste treatment systems, unless public sewer service is extended to the area.
8. Meet at least 80% of the following conservation neighborhood design standards in the development of new residential subdivisions, at the Town Board's decision:
 - a. Minimize visibility of development from main roads through natural topography, vegetation (e.g., tree lines, wooded edges), and setbacks. Minimize placement of lots in open fields.
 - b. Back lots onto county, state, and federal highways, designing deeper lots and landscape bufferyards into these areas.
 - c. Preserve mature trees and tree lines wherever possible.
 - d. Include an interconnected network of streets meeting Town road standards.
 - e. Design streets and lot layouts to blend with natural land contours.
 - f. Limit cul-de-sacs except where topography, environmentally sensitive areas, or the pre-existing development pattern in the area necessitates their use.
 - g. Integrate natural resources into the subdivision design as aesthetic and conservation landscape elements.
 - h. Restore the quality and continuity of degraded environmental areas within the subdivision, such as streams and wetlands.
 - i. Encourage stormwater management treatment systems that focus on Best Management Practices (BMPs). BMPs may include overland transfer, natural landscaping to increase infiltration and reduce runoff, bio-infiltration systems, and maximum impervious surface ratios for development sites.
 - j. Provide vegetative buffers of at least 75 feet between building sites and wetlands and streams.
 - k. Provide wide areas for public access to parks and common open spaces.
 - l. Maximize common open space in the neighborhood through public dedication and/or private management through a homeowner's association with conservation easements.
 - m. Create pedestrian trails through open space areas, allowing for future connections to other parcels and parts of the Town.
 - n. Require new homes to meet Energy Star standards or otherwise incorporate specific energy efficiency techniques into the development.

Figure 8: Commercial Development Area Purpose and Policies (two-page figure)

Purpose	
• Enable a range of agricultural business, retail, commercial service, storage, light assembly, institutional, health care, research and development, institutional, and recreational uses. • Require that new development meet high standards for site, building, landscape, lighting, stormwater, and signage design per Town and County ordinance requirements. • Support development of an agricultural business center, to enhance rural research and production opportunities and build off similar initiatives in the area. • Provide logical locations for highway-oriented commercial development consistent with the Town’s character, population, needs, and public service capabilities. • Minimize uses that focus on outdoor storage or display and that may someday require extensive public services and utilities.	
Typical Implementing Zoning Districts	New Lot Sizes
HAM-M Hamlet Mixed Use GC General Commercial HC Heavy Commercial LC Limited Commercial	Minimum lot size is one acre, provided that soil tests determine that the lot is suitable for an on-site waste treatment system. New holding tanks not permitted.
Relationship to Town’s TDR Program	
Non-residential development—and land divisions, rezonings, and conditional use permits for such development—may occur without having to meet the Town’s RDU and TDR requirements.	

Development Policies within Commercial Development Area

1. Encourage growth within Commercial Development Areas to enhance the tax base and job opportunities within the Town, making agricultural preservation elsewhere more feasible. Proposed development should not have a substantial adverse effect upon adjacent property (including values), the character of the area, or the public health, safety, and general welfare. Because of the intensity of anticipated non-residential uses in the Commercial Development Area, rezonings that would enable new residential development are discouraged.
2. Attempt to focus the three distinct Commercial Development Areas shown on Map 10: Future Land Use as follows:
 - a. Highway 12/18/N Interchange. This modern interchange provides a well-placed opportunity for easily accessed development for businesses that enhance, promote, and support the continuation of agricultural production in the Town and in the region. Uses may be dedicated to local food production, agricultural research and experimental facilities, and sustainable non-agricultural uses. Other commercial uses may also locate in this area, but those that emphasize storage (particularly outdoor storage) and outdoor display and activities should be minimized in order to maximize tax base and minimize negative aesthetic impacts in this high-visibility area with some surrounding residential development.
 - b. Southwest Corner of Town. Town Line/City of Madison ETJ. The western edge of the Town benefits from proximity to Interstate 39/90 and growth associated with the City of Madison. This may be an appropriate location for commercial development geared to the traveling public and for distribution uses. Expansion of the Central Urban Service Area would facilitate industrial operations here. The Town will monitor and potentially build off of activities of the Ho-Chunk Nation in this area.
 - c. Town/Village Limits along N. The Village of Cottage Grove meets the Town boundary in such a way that promoting commercial growth provides opportunities and benefits for both communities and future growth in the area. Expansion of the Cottage Grove Urban Service Area would facilitate larger-scale commercial operations here.
3. Recognizing that all three of these areas are mainly in the extraterritorial jurisdiction of either the City of Madison or Village of Cottage Grove, communicate with the respective incorporated communities concerning development prospects in these areas. Given its distance from both municipalities and its location, the Highway 12/N Interchange area may be the most promising location for future commercial development. The Town will consider a TID district in this area, following the lead of the Towns of Windsor, Springfield, and others that have taken advantage of Town TIDs under State law. Any TID incentive should be tied to exceptional development quality.
4. For new non-residential development, with each application for rezoning or conditional use permit approval, require submittal and review of conceptual site and building plans. Prior to building permit issuance, require that a detailed site and building plan be submitted that as laid out in accordance with Section 12.08 of the Town's Design Review Ordinance and this figure. As the Commercial Development Area is predominately mapped near main community entryways and other highly visible locations, the Town is particularly concerned that it contributes to the Town's aesthetic quality. Views to and from highways like 12, N, and AB are of particular importance to the Town.
5. Jointly work with the State Department of Transportation, the Dane County Highway and Transportation Department, and developers to ensure that adequate rights-of-way for future roadway expansions are provided and that proper controls on vehicle access (especially the number, design and location of access driveways and intersecting local roadways) are provided. Driveway cuts that impede the efficient and safe operations of roadways are prohibited. Shared driveways and frontage road access may be required. Off-street parking shall be delineated on the site plan, in accordance with the provisions of the Dane County Zoning Ordinance.
6. Require developments to address off-site traffic, environmental, and neighborhood impacts.
7. If the business requires levels of service or roads greater than what the Town can provide, the proposal will have to be modified, it may be rejected, or it may be required to fund required service or road improvements.
8. As necessary, apply appropriate limitations preventing unacceptable future commercial or industrial uses (or conditions such as outdoor storage) on an approved development site through a deed restriction.
9. Do not permit parking or storage of vehicles within the public road easement or right-of-way.
10. If the business is located within 100 feet of an adjacent residence or residential zoning district, buffer the side of the business site facing the residence.
11. Assure that development provides access and an attractive rear yard appearance and existing and future development behind these sites.
12. If the business is to operate at night, design all outdoor lighting so as not to create glare or shine directly on neighboring residences.

Figure 9: Resource Protection Corridor Purpose and Policies

Purpose		
Protect continuous systems of sensitive environmental resources and natural areas, including: - Wetlands, as defined in state statute and including both the shoreland-wetland and inland-wetland districts under Chapter 11 of the Dane County Code. - Dane County Code shoreland setbacks and wetland buffers required under Chapter 11. 1% regional floodplains, including the general floodplain district, floodway district and flood storage district, as described in Chapter 17 of the Dane County Code. - Slopes exceeding 20%.		
Typical Implementing Zoning Districts	New Lot Sizes	Relationship to Town's TDR Program
NR-C Natural Resource ConservancyFP-35 General Farmland Preservation	Division of land within the Resource Protection Corridor is discouraged.	- May serve as a TDR Sending Area where also mapped as an Agricultural Preservation Area. - May not serve as a TDR Receiving Area.
Resource Protection Corridor Policies		
- All development shall be consistent with and meet the requirements of Chapter 11 of the Dane County Code of Ordinances regulating shorelands, wetlands, and flood plains. - Work collectively with surrounding local governments, Dane County, and the State on the protection and preservation of these areas. - Prohibit building development in the Resource Protection Corridor, and driveways on slopes greater than 20%, except as may be allowed via variance or special exception processes in the associated ordinances. - Permit cropping and grazing within the Resource Protection Corridor where in accordance with county, state, and federal law. Where Resource Protection Corridors overlap lands in designated Agricultural Preservation Areas, properties remain eligible for farmland preservation tax credits and other benefits under Chapter 91, Wis. Stats. and the Dane County Farmland Preservation Plan. - Permit recreational activities such as trails in publicly owned Resource Protection Corridor areas where compatible with natural resource protection. - Where development is proposed near the mapped Resource Protection Corridor, determine the exact boundaries based on the features that define those areas. De-map these areas as Resource Protection Corridor to allow more intensive uses if: - more detailed information or studies reveal that the characteristic(s) that resulted in their designation as a Resource Protection Corridor is not actually present, - approvals from appropriate agencies are granted to alter land so that the characteristic that resulted in its designation will not exist, and/or - a mapping error is confirmed.		

CHAPTER FOUR—ECONOMIC AND HOUSING DEVELOPMENT

This chapter contains goals, objectives, policies and programs aimed at providing an adequate housing supply and growing the economic base in the Town of Cottage Grove.

ECONOMIC DEVELOPMENT GOAL

Provide for business development activities consistent with the Town's rural, agricultural character.

ECONOMIC DEVELOPMENT OBJECTIVES

1. Focus economic development efforts on farming and farm-related businesses.
2. Develop commercial development areas within the Town.
3. Promote careful placement and design of high-intensity rural uses such as mineral extraction sites and wireless telecommunication facilities.

ECONOMIC DEVELOPMENT POLICIES

1. Plan for a sufficient supply of developable land for commercial uses, in areas consistent with Town wishes and of a scale and type consistent with the Town's rural setting and service availability (see Map 10).
2. Support the economic health of production agriculture in Cottage Grove, and the continued diversification of farming in the Town.
3. Support opportunities for farm family businesses, home occupations, and agriculturally-related businesses to assist farm families.
4. Encourage only commercial and light industrial uses that will not generate the need for public sewer and water services, result in damage to Town roads, or negatively affect the Town's character.
5. Actively encourage commercial development in designated Commercial Development Areas on Map 10, and consider incentives like tax incremental financing where appropriate.
6. Require the disclosure of any soil or groundwater contamination on sites before approving development proposals.
7. Work with private landowners to clean up contaminated sites that threaten the public health, safety, and welfare.
8. Apply the requirements of the Town Non-Metallic Mining Regulations (Chapter 17 of Town Code of Ordinances) and use the following criteria when considering applications for conditional use permits or rezonings for non-metallic mining operations:
 - a. The petitioner must submit directly to the Town copies of all project descriptions, site plans, and engineering reports required by the County Planning and Development Department.
 - b. The Town will consider all relevant plan policies in the deliberation over new extraction sites, such as the area and quality of farmland to be lost in the operation. New extraction uses will not be allowed if they would substantially impair or diminish the value and enjoyment of other property in the area, impede the normal and orderly development and improvement of the

surrounding property for uses permitted in vicinity, present a safety hazard, or impair significant or critical wildlife habitat.

- c. The Town shall provide for full public review of the proposal, at the expense of the proposed operator.
 - d. The project shall be subject to the preparation of an erosion control plan prepared by a qualified engineer, meeting the County's erosion and sediment control ordinance, and prepared at the expense of the proposed operator. Additionally, as the Town determines necessary, the plan will be reviewed by the Town's engineer.
 - e. The site shall be developed and operated according to the site/operations plan, with bonds posted to assure compliance.
 - f. The date that operations are expected to cease shall be clearly expressed.
 - g. Reclamation shall be addressed according to State and County requirements.
 - h. Driveway surfacing shall be addressed. To prevent tracking of mud onto public roads, driveways should generally be paved within a certain distance of public roads.
 - i. Spraying of the site and driveways may be required to control dust.
 - j. On-site bulk fuel storage and appropriate places for fueling of equipment (e.g., above the water table) shall be addressed to minimize the potential for groundwater contamination.
 - k. Access to the site will be only through points designated as entrances on the site/operations plan; such access points should be secured when the site is not in operation.
 - l. Hours of operation will be specified, and will be further limited if the extraction site is close to residential properties.
 - m. Plans for any blasting, drilling, and screening shall be made clear to the Town, and, if allowed, separate acceptable hours for these activities will be specified. Requirements of Chapter 17 must be met.
 - n. If blasting or drilling is requested and allowed, additional sets of standards shall be applied with relation to frequency, noise and vibration levels, notice to neighbors, pre-inspection of neighboring basements and wells, and claims procedures.
 - o. Commercial and industrial uses on site shall be limited to those directly related to mineral extraction, such as concrete or asphalt plants. Careful review of air and water quality impacts from such uses shall be included.
 - p. Unless the extraction site is very inaccessible, it shall be completely enclosed by a safety fence or maintained at a 4:1 slope (1 foot of rise for every 4 feet of distance) with no water retention on-site.
 - q. The Town should be listed as an "additional named insured" on the liability insurance policy, which should remain in effect until reclamation is complete. The petitioner should have to furnish a certificate of insurance before operations commence.
 - r. Provisions for the upgrade, repair, rebuilding and maintenance of Town roads may be required, depending on the intensity of the operation and the existing condition and capacity of such roads. Posting a bond for such work will be required.
9. Within the limits of State law, use the following criteria when considering applications for conditional use permits or rezonings for wireless telecommunication facilities:

- a. The petitioner must submit directly to the Town copies of all project descriptions, site plans, and engineering reports required by the County Planning and Development Department.
- b. The petitioner should submit all necessary authorizations or proofs of “no hazard” from the operator of Blackhawk Airfield, the FAA, and/or the State Bureau of Aeronautics.
- c. The Town does not intend to take action on the rezoning or conditional use permit until it receives and reviews the results of an independent engineering report and staff report from the Dane County Planning and Development Department.
- d. The Town does not intend to support wireless telecommunication facilities that would require the installation of light(s) on or near the top, unless required by law.
- e. The Town supports co-location of multiple antennas on a single tower and the use of alternative support structures such as silos, light poles, billboards, electrical poles, and other tall structures.
- f. All freestanding telecommunication towers should be located to minimize the aesthetic impact on the Town, particularly along and near Nora Road.
- g. Facility locations that maximize the screening of the tower structure through topography or vegetation are preferred. All support equipment and the base of the tower should be fully screened from adjacent properties and public roads.
- h. The Town may also use County zoning criteria in reviewing the application.

ECONOMIC DEVELOPMENT PROGRAMS

Focus Commercial Development at the Highway 12/18/N Interchange Area

Land surrounding the Interchange of the U.S. Highway 12/18 and County Highway N is the primary area within the Town planned for future commercial and light industrial development. High-quality economic development in this area is critical to fiscal health of the Town, in order to maintain the integrity of preserving farmland in other areas. It will also be a source of jobs and community identity, and ideally will help advance the agricultural economy in the area.

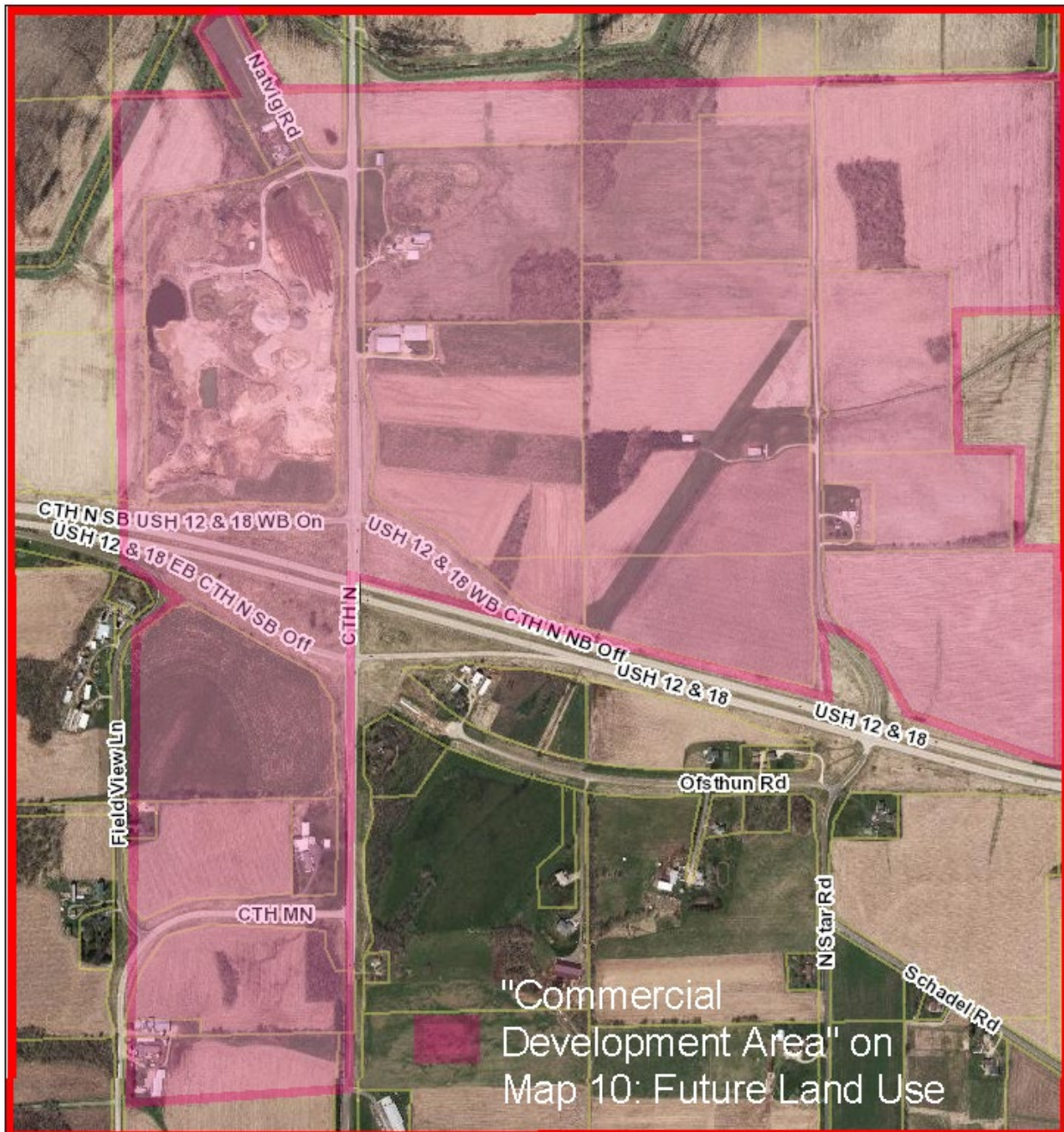
About 430 acres around the 12/18/N interchange area are designated within the “Commercial Development Area” future land use category on Map 10, with associated development policies included in Figure 8. The Town will promote, within this area, businesses that enhance, promote, and support the continuation of agricultural production in the Town and in the region. Uses may be dedicated to local food production, agricultural research and experimental facilities, and sustainable non-agricultural uses. Wind turbines may also be appropriate for this area given the results of past wind studies. Other commercial and light industrial uses will also be allowed within this area, where consistent with a rural level of services, minimizing storage (particularly outdoors) and outdoor display, and meeting the Town requirements in its Design Review Ordinance and Figure 8 of this *Plan*. Because of the intensity and impacts of some of these uses, the Town will discourage new residential development in this area.

As shown on Map 11, the planned Commercial Development Area contains a mineral extraction operation northwest of the interchange, along with a few small businesses and residences. Between 2016 and 2018, the County and Town rezoned approximately 47 additional acres in the 12/18/N Interchange Area for business use and in 2020 approved a 92 acre expansion to the Commercial Development Area on the east side of North Star Road. In addition to Highway N, Highway MN to the south and Natvig Road to the north also provide access to this area. The planned 12/18/N Commercial Development Area is bounded on the north by a large “Resource Protection Corridor” associated with the Koshkonong Creek, and on the east, west and south by current and planned farmland.



Examples of developments near the Highway 12/N interchange and within similar Town interchange areas, where urban services are limited, but where there are expectations for high development quality.

Map 11: Highway 12/18/N Interchange Area



Base Map Source: DCIMap

The interchange area has several attributes that support its designation as the Town's primary area for commercial development. These include:

- **Position.** The interchange area is a few minutes east of Interstate 39/90/94, and within four hours of more than 20 million people. The area is also immediately proximate to farms, which could supply the raw materials for agricultural product development.
- **Access.** This interchange was built in 1998 and Highway 12 in this area has adequate capacity for future traffic increases. Highway N is in good condition, and the intersecting Highway MN and Natvig Road provide for additional local access.
- **Visibility.** The sites at this interchange have good visibility from Highway 12 to attract businesses that demand good visibility and immediate access. Ensuring high development quality and minimizing features like large unscreened storage yards will be critical to maintain an attractive image along Highway 12.
- **Gateway.** The area arguably provides the best and most lasting gateway into the Town. It also provides a "backdoor" into the Village of Cottage Grove from the Madison area. New development should, therefore, be of high quality and the area would be a logical home for a Town entry sign and feature (see also last program in Chapter Two—Agricultural, Natural, and Cultural Resources). In total, the Town may work to develop a cohesive desired image for the 12/18/N interchange area that would draw businesses and consumers to the area.
- **Distance.** The 12/18/N interchange area is near and just beyond the eastern edge of the City of Madison's extraterritorial jurisdiction, and over two miles south of the Village of Cottage Grove. It may, therefore, be distant enough from the City and Village so that there is little concern for quality rural development in this area, and little chance of annexation.
- **Acreage.** The interchange area contains large tracts of vacant land; even the larger extraction site will eventually require restoration to another use.

Areas like the 12/18/N interchange area often develop only where the community is willing to offer development enticements. The primary incentive tool available to municipalities in Wisconsin is tax incremental financing (TIF). Through creation of a tax incremental district (TID), a municipality may borrow funds to provide for infrastructure investments and development incentives within the TID. The principal and interest on the debt is then reimbursed by the added property tax revenue from new development caused by the investment (or by payments from developers/builders by agreement if the tax base does not materialize). TID funds may also be used for planning, administrative, engineering, and legal costs—including those used to create the TID in the first place. TIDs need to meet a "but for" test, generally meaning the area would benefit from economic development that wouldn't otherwise occur without the TID and investments under it.

The Town will investigate creating a TID in the I2/I8/N interchange area. With a 2014 population estimate of 3,887 and a 2014 equalized value of \$384,258,700, the Town of Cottage Grove does not yet qualify to create an “Urban Town TID,” as described in the sidebar to the right. Until the Town’s tax base increases to \$500 million, an “Agricultural/ Natural Resource” TID may be the most promising. Still, this type of TID has some limits on types of expenditures, and would require consent from the City of Madison.

In general, within a TID project plan, the Town would need to incorporate the following:

- A feasibility study that assesses whether TIF financing would achieve the Town’s development goals and the proposed area meets the “but for” test.
- An analysis of how creation of the district promotes orderly development in the municipality.
- Detailed lists of estimated TID project costs (e.g., infrastructure investments, development incentives), and non-TID costs.
- Proposed financing methods and the time when costs or obligations are to be incurred.
- Maps showing the proposed TID boundary; existing uses, zoning, and conditions of property; proposed TID projects.
- Any proposed changes or elaboration in ordinances, comprehensive plan, and building codes.
- A statement of the proposed method for relocation of any displaced persons (unlikely for a TID in this area).
- A signed opinion from the Town Attorney advising whether the project plan is complete and complies with State law.

The TID creation process generally requires a public hearing, recommendation from the Town Plan Commission, approval from the Town Board, and approval from a special “Joint Review Board” made up of representatives from the various taxing entities. Locally approved TID project plans must then be provided to the State Department of Revenue for approval.

Options for TIDs in Towns

Towns have three basic options for creation of tax incremental districts, for lands slated to remain in the town:

- **“Urban Town” TID.** Recently, the State expanded general TID authority to towns that have a population of at least 3,500 and equalized total property values of \$500 million qualify. The nearby Town of Windsor established this type of TID in 2014.
- **Environmental Remediation TID.** A town may create a TID to fund the removal, containment, and monitoring of contamination of soil, air, surface water, sediments, or groundwater caused by environmental pollution. The Town of Springfield in northwestern Dane County established this type of TID in 2014. Within the Town of Cottage Grove, a former landfill along Natvig Road may provide a similar opportunity.
- **“Agricultural/Natural Resource” TID.** A town may create a TID whereby 75% of the improvements made by the TID involve projects revolving around agriculture, forestry, manufacturing, and tourism resources (the other 25% can revolve around other uses). If within a city or village extraterritorial zoning jurisdiction, these TIDs require approval of the affected city or village.



As the above suggests, creation and management of a TID involves legal and technical expertise; it should not be undertaken without utilizing that expertise.

Support Bio-Based Business Development in the Town

Building from the previous program and the directions in Chapter Two, the Town has specific interest in promoting businesses that build upon and strengthen its agricultural land base and economy. These include new off-farm business developments in areas designated as “Commercial Development Area” on Map 10, particularly the Highway 12/18/N interchange area.

The Town also encourages on-farm bio-based business development. Like other businesses, agriculture must evolve to meet changing market requirements and capture new farm income opportunities. Some products, such as cheese, fiber, or pellets, require manageable inputs and can be assembled on a farm site without need of extensive water and sewer services.

Therefore, within the planned “Agricultural Preservation Area” on Map 10, the Town will support agricultural-based businesses that are consistent with the policies in Figure 3 and the FP-35 General Farmland Preservation zoning district. Residences and outbuildings may be used for home occupations, limited family businesses, or farm family businesses, as those terms are defined and limited under Dane County zoning rules. For these types of operations, efforts should be made to utilize the existing residence and outbuildings before constructing new buildings.

The Town generally will not support the rezoning of lands for commercial use within the Agricultural Preservation Area, except for the expansion of existing businesses at the discretion of the Town Board (see Figure 4).

What is Bio-Based Business?

A bio-based business is a manufacturing operation that produces a food or non-food good that is made up of biological materials or agricultural resources. Such materials may come from the products or byproducts of animals, plants, or other biological sources that are non-petroleum based.

HOUSING GOAL

Encourage housing development compatible with a rural community and generally away from planned agricultural areas.

HOUSING OBJECTIVES

1. Encourage high quality and sustainable construction and maintenance of housing.
2. Guide home siting and densities to limit negative impacts on property, the natural environment, farming, and rural character.
3. Assure that new housing and neighborhood development contribute to the facility and service demands they generate.

HOUSING POLICIES AND PROGRAMS

1. Plan for a sufficient supply of developable land for housing, in areas consistent with Town wishes, at a pace consistent with recent development trends, and of densities and types consistent with the Town's rural setting.
2. Focus housing development in Neighborhood Development Areas shown on Map 10.
3. Provide a range of housing opportunities that meets existing and forecasted needs of persons of varying income levels and age groups, and is consistent with a rural setting.
4. Direct interested Town residents to programs administered by Dane County and USDA to help maintain and rehabilitate housing.
5. Work with Dane County to address code violations on existing properties.
6. Encourage neighborhood designs meet the guidelines in Figure 7, protect residential areas from infringement by incompatible land uses, promote connectivity of roadway and environmental systems, include energy efficient and environmentally sustainable designs, preserve rural character, and do not develop in the Resource Protection Corridors in Map 10.
7. Encourage denser forms of housing outside of Agricultural Preservation Areas by promoting use of RDUs and transfer ratios to incentivize development in approved TDR Receiving Areas (see Figure 3).

CHAPTER FIVE—TRANSPORTATION, UTILITIES, & COMMUNITY FACILITIES

This chapter includes a goal, objectives, policies, and programs to guide development and maintenance of transportation, utility, and community facilities in the Town of Cottage Grove. State and regional transportation plans are described in the Conditions and Issues volume.

TRANSPORTATION GOAL

Provide safe and reliable roadway and other transportation network serving Town residents, farmers, and other businesses.

TRANSPORTATION OBJECTIVES

1. Maintain and require a safe and interconnected road network.
2. Ensure that major highway improvements are coordinated with land use desires and that negative impacts on Town residents are minimized.
3. Participate on multi-jurisdictional transportation system improvements and maintenance.
4. Support biking, walking, and other modes of transportation.

TRANSPORTATION POLICIES

1. Prepare and implement a Town Road Improvement Program to provide for the phased upgrading of town roads, utilizing PASER ratings to prioritize projects.
2. Upgrade existing Town roads to current road improvement specifications to the extent practical when repaving or reconstructing those roads.
3. Discourage use of Town roads for through traffic via signage, speed zones, weight limits.
4. Assure that Town roads will be protected and any damage or abnormal wear addressed when approving significant new development projects, such as non-metallic mineral extraction operations (see also Chapter Four—Economic and Housing Development).
5. Support access control and rural character objectives by discouraging large amounts of “side of the road” development and multiple driveways on main roads. Promote joint driveways.
6. Require interconnected new roads in planned development areas to control highway access, and improve access to deeper parcels. Minimize cul-de-sacs/dead end streets.
7. Accommodate bicycle traffic on less traveled roadways, and in paths like the Glacial Drumlin Trail and future connectors to it.
8. Support County and State expansion and improvements to the Glacial Drumlin State Trail, including providing a link between it and the Capital City State Trail.
9. Support additional transportation options for the elderly, disabled, and children.

TRANSPORTATION PROGRAMS

Participate in WisDOT Planning Efforts for Highway 12/18

WisDOT's USH 12 Corridor Study, completed in September 2014, seeks to lessen traffic incidents and improve safety along Highway 12/18. Recommendations for the highway within the Town are focused on consolidating driveway access to Highway 12 and relocating it to intersecting roads where possible. These WisDOT Study recommendations are included in Maps 12 through 14. Additionally, the Study advises that the North Star Road intersection be improved to the current standard for a Type B1 intersection when safety warrants are met.

The Town will continue to monitor and attempt to influence the recommendations of this study. The Town's goals in this effort are to improve traffic safety, protect the rights of individual land owners, minimize Town expense, and avoid undesirable land use impacts. These may include the splitting of farm parcels or the inadvertent creation of development sites in areas planned for farmland preservation.

Learn More About the Village's "Koshkonong Creek Parkway" Plan

The Koshkonong Creek Parkway is a project identified within the Village of Cottage Grove comprehensive plan. Specifically, the Village plan indicates that "[t]he Village should work with the Capital Area Regional Planning Commission (CARPC) and other nearby jurisdictions to plan and officially map a north-south bypass route for long-range regional traffic around the Village to the east of Sun Prairie. As more development occurs in Cottage Grove's peripheral area, opportunities to preserve such routes are disappearing. This route should tie back to CTH N south of the current Village limits and north of the USH 12 interchange. In the long-term, this route should extend north to use a grade-separated crossing of I-94 at Ridge Road east of the CTH N interchange. Ultimately this route should extend to connect with USH 151 northeast of Sun Prairie at CTH VV."

At time of writing, this intergovernmental communication and coordination had yet to occur, and Village priority and progress on the Parkway appears to be minimal. Still, the Town intends to monitor this Village proposal. Based on initial investigation, the Town believes that its costs and other negative impacts would outweigh its benefits. The roadway could interfere with the Town's farmland preservation goal in the affected area. It would also involve significant impacts on the Resource Protection Corridor associated with the Koshkonong Creek. It would also seem to remove traffic from business areas in the Village that depend on it. For these reasons, the Town does not endorse this proposed project.

Map 12: WisDOT Proposed Access Adjustments, USH 12/18, Sheet 1



Map 13: WisDOT Proposed Access Adjustments, USH 12/18, Sheet 2



Map 14: WisDOT Proposed Access Adjustments, USH 12/18, Sheet 3



UTILITIES AND COMMUNITY FACILITIES GOAL

Supply a rural level of public facilities and utilities to meet basic resident and business needs.

UTILITIES AND COMMUNITY FACILITIES OBJECTIVES

1. Coordinate utility and community facility systems planning with land use, transportation, and natural resources planning.
2. Protect the Town's public health and natural environment through proper siting of on-site wastewater treatment systems and stormwater management.
3. Coordinate with other units of government on shared community and recreational facilities.

UTILITIES AND COMMUNITY FACILITIES POLICIES

1. Continue to provide basic services for Town residents, including garbage collection, public road maintenance, snow plowing, and emergency services.
2. Consider the objectives and policies of this *Plan*, as well as the welfare of all residents, to determine whether new or expanded Town services or facilities may be appropriate.
3. Require stormwater management plans meeting County and Town requirements for all subdivision plats, CSMs for commercial development, and other projects increasing impervious surfaces by more than 20,000 square feet.
4. Work with the County Sanitarian to ensure the proper approval process and placement of new on-site wastewater treatment systems, and appropriate maintenance and replacement of older systems as a means to protect ground water quality.
5. The Town does not consider holding tanks an acceptable form of sewage disposal in new construction. Holding tanks may be permitted for existing structures if no other sewage treatment system is feasible.
6. Carefully evaluate proposed large on-site wastewater treatment systems, or groups of more than 20 systems on smaller lots (<2 acres) in the same area, to ensure that groundwater quality standards are not impaired. The Town may require that the property owner or developer fund the preparation of a groundwater impact analysis from an independent soil scientist or other related professional.
7. Remain actively involved in any proposals for the future expansion of the County landfill, advocating for Town interests.
8. Work with Madison Gas & Electric, We Energies, Alliant Energy, Charter/Spectrum, and other telecommunications companies to ensure that new development is adequately serviced and the Town is well-served with broadband internet service.
9. Provide quality and accessible parks and recreational facilities for Town residents.
10. Align park and recreational opportunities with community growth and evolving interests and demographics.
11. Revisit parks with developable land or facilities that are outdated or underutilized, in order to meet emerging recreational needs and interests.

UTILITIES AND COMMUNITY FACILITIES PROGRAMS

Implement Community Facility Improvements in a Phased Manner

Figure 10 is a timetable for possible changes to utilities and community facilities within the Town over the 20-year planning period. This may form the basis for future capital budgets and multi-year capital improvement programs. Budgetary constraints and other unforeseen priorities and circumstances may affect projects in this timeframe.

Figure 10: Utilities and Community Facilities Timetable

Utility or Facility	Town Improvement Timeframe	Comments
Water Supply	Study possible by 2020	All water currently supplied by private wells. Town may consider Utility or Sanitary District in future.
Sanitary Waste Treatment/Disposal	Study possible by 2020	All sewage treatment currently by septic. Town may consider establishing Utility or Sanitary District in future.
Stormwater Management	No changes anticipated	Town intends to continue to rely on County Erosion Control and Stormwater Management ordinance.
Town Hall	Study possible by 2020	Explore opportunities to upgrade, expand services, and/or consolidate services at the Town Hall site.
Recycling/Trash Collection	No changes anticipated.	In 2013, Town Board approved 10-year collection contract with private hauler.
Solid Waste Disposal	No changes programmed.	Town desires to be actively involved in any proposal to expand the Dane County Landfill.
Law Enforcement	No changes.	Town intends to continue to contract with County Sheriff Department for these services.
Fire Protection & EMS	No changes anticipated.	Town intends to continue to participate in Cottage Grove Fire Department and Deer-Grove EMS District.
Medical Facilities	No Town role.	Medical facilities in nearby communities meet needs.
Library	No Town role.	South Central System appears to provide adequate facilities.
Schools/Child Care	No Town role.	Encourage continued school facility planning.
Park & Rec Facilities	Town support role.	Town will update park fees to meet State law requirements. Town may consider new and improved parks where residential development has occurred or will occur, via developer dedication and/or using park fees.
Telecommunications	Town reviews.	Private carriers addressing phone and internet needs.
Transmission Lines	Town reviews.	ATC manages lines; no major expansions anticipated.
Cemeteries	Plots available.	Town owns three cemeteries – Liberty, Door Creek, Salem—with plots to sell in two.

Investigate Provision of Public Sewer and Water Services

The Town has not, to date, provided sanitary sewer or municipal water services to its residents, nor seriously considered it. However, there may be reasons and justification for the Town to consider forming a utility district or sanitary district to provide such services. The most promising area for sewer and water services may be the Town's northwest corner. The Town will consider establishing a utility or sanitary district in this area for the following reasons:

- There are several existing subdivisions in this area.
- The Town plans for this area to be developed for an even greater concentration of residential subdivisions, as indicated by the "Neighborhood Development Area" future land use designation on Map 10.
- There is existing approved urban service area within this vicinity, where sanitary sewer service may be legally extended under State and federal law.
- There is a Madison Metropolitan Sewerage District (MMSD) sanitary sewer interceptor in this area.
- Municipal sewer and water service would enable greater residential density (and neighborhood-compatible commercial development) in this area, thereby increasing the Town's tax base.
- Sewer and water service is usually the top—and sometimes the only—reason for property owners and developers to annex their land to a nearby city or village. If the Town provided similar services, this incentive would decrease.

What is a Town Sanitary or Utility District?

State law grants towns the authority to create sanitary or utility districts. The general process for creating these types of districts include reviewing a signed petition by at least half of the persons owning land or the owners of at least half of the land within the proposed limits of the district; holding a town board public hearing on the petition; and, if approved, legally filing the district with WisDNR and the County Register of Deeds. Once established, the district commission may project, plan, construct and maintain a system of water supply, solid waste collection, and sanitary sewer service.

CHAPTER SIX—INTERGOVERNMENTAL COOPERATION

This chapter contains a goal, objectives, policies and programs for intergovernmental planning and decision making; incorporates by reference all plans and agreements to which Cottage Grove is a party under §66.0301, §66.0307, §66.0309 of Wisconsin Statutes; and identifies existing and potential conflicts between this *Comprehensive Plan* and the plans of adjacent villages, cities, and towns, Dane County, the Capital Area Regional Planning Commission (CARPC), the State of Wisconsin, and school districts.

INTERGOVERNMENTAL COOPERATION GOAL

Strengthen intergovernmental relations with surrounding and overlapping governments, while protecting the interests and long-term viability of the Town.

INTERGOVERNMENTAL COOPERATION OBJECTIVES

1. Work with other local governments, Dane County, school districts, and state agencies on land use, preservation, transportation, and community development issues of joint concern.
2. Use intergovernmental discussions to promote logical municipal boundaries, desirable land use patterns, and workable transportation solutions near community edges.
3. Cooperate on service delivery and urban service area planning with adjacent communities.

INTERGOVERNMENTAL COOPERATION POLICIES

1. Work with surrounding communities on an orderly, efficient land use pattern that preserves farming and natural resources and minimizes conflicts between urban and rural uses.
2. Recognize adopted and expanded urban service areas as locations for development to be provided with a full range of public services, including public sewer and water.
3. Evaluate all proposed changes to urban service areas against the recommendations of the *Town of Cottage Grove Comprehensive Plan*, and participate in the review of all proposed urban service area expansions affecting the Town at the CARPC level.
4. Consider joint services where consolidating, coordinating, or sharing services will result in better services or cost savings.
5. Cooperate with other units of government on natural resources, places of recreation, transportation facilities, and other systems that are under shared authority or cross governmental boundaries.
6. Participate in all future discussions regarding construction of Highway 12/18 improvements and the “Koshkonong Creek Parkway” identified in the Village’s comprehensive plan.
7. Pursue new or amended intergovernmental agreements where necessary to resolve such disagreements if less formal intergovernmental communications prove inadequate.
8. In the event of disagreements between the plans, policies, programs, ordinances, or interpretation of intergovernmental agreements between the Town and adjacent and overlapping units of government, pursue dispute resolution approaches that rely on open, direct communications between Town officials and the officials of other affected governments.

INTERGOVERNMENTAL COOPERATION PROGRAMS

Pursue Agreements with Village of Cottage Grove and the City of Madison

The Town of Cottage Grove perceives mutual benefits among the Town, Village of Cottage Grove, and City of Madison for a formal intergovernmental agreement covering community development and boundary issues. The Town supports a three-community agreement if possible, but will pursue two one-on-one agreements if desired by the other municipalities.

An intergovernmental agreement(s) could help the communities minimize competition for development, share both the costs and benefits of economic development, make sure that future development is of high quality, provide all parties with a greater sense of certainty on the future actions of others, and promote municipal efficiency in an era of diminishing government resources. The following is a draft outline of issues that an intergovernmental agreement could cover.

- **Municipal Boundary Changes.** The Town does not expect every square inch to remain in the Town, but desires some security on Town boundaries to maintain its fiscal viability and provide some predictability. Future annexation area boundaries could be established based on logical service areas, growth plans and projections, and community separation interests.
- **Utility Service Area Boundaries.** The communities could also agree to logical areas and cooperation for future expansions to the urban service areas, and to municipal utility systems. This, combined with the municipal boundary provisions described above, may provide greater certainty to both communities, property owners, developers, and the general public as to where intensive development could occur and where it could not. The discussions on utility services could also cover provisions for dealing with developed areas with failing septic systems to address public health concerns. The Town's idea to explore its own utility or sanitary district could be discussed and resolved.
- **Reconcile Future Land Use Recommendations.** Map 10 in Chapter Three shows the Town's future land use plan. The future land use map for the Village and City are included in the Conditions and Issues volume. There are significant differences among these plans or areas that are currently in the Town of Cottage Grove. An intergovernmental agreement could include provisions to amend this *Comprehensive Plan* and the Village's and City's plans as necessary to be consistent with the agreement.
- **Refine Extraterritorial Options.** The agreement could discuss the extent of Village and City review of extraterritorial land divisions, including future road right-of-way needs. Innovative

Intergovernmental Agreement Options

Intergovernmental agreements under State Statutes take two main forms.

The first is available under Section 66.0301, which allows two or more communities to agree to cooperate for the purpose of furnishing services or the joint exercise of any power or duty authorized under State law. This is the most commonly used approach, but a "66.0301" agreement is limited to 10-years related to municipal boundaries.

Another format for an intergovernmental agreement is a "cooperative plan" under Section 66.0307 of Statutes. This approach is more labor intensive and ultimately requires State approval of the agreement, but does not have some of the limitations of the "66.0301" agreement format, mainly the term.

approaches to achieving shared growth management and land use objectives, such as cooperative extraterritorial zoning, could also be discussed. Under such a system, the Village/Town and/or City/Town would jointly make zoning decisions within the two extraterritorial jurisdictions.

- **Explore Shared Programs or Services.** The communities could discuss greater opportunities for co-operation or consolidation of local parks and recreational programming, for instance. Other issues that could be advanced include a joint commitment to work with WisDNR to maintain and improve linkages to and along the Glacial Drumlin State Trail, and even revenue sharing for new municipal taxes generated from development in some areas of joint interest.

Municipal attorneys would need to place any agreement in a proper legal format prior to adoption, obviously following a significant amount of additional negotiation among the communities. Usually, enabling a small team to negotiate an agreement—ultimately approved by the governing body—is the best approach for working out a successful agreement.

Work to Limit Annexation of Town Land

Initial indications suggest that Village and City may also be interested in pursuing an intergovernmental agreement with the Town. Still, in the event the Village and City elect not to pursue an intergovernmental boundary agreement with the Town, or such negotiation efforts fail, the Town of Cottage Grove will work to limit annexation via other means. Significant annexation into the Town's boundaries poses a threat to its autonomy and future, potentially jeopardizing agriculture and the rural lifestyle still enjoyed by many who choose to live within the Town.

Other chapters of this *Comprehensive Plan* include ideas to minimize the incentives or possibility of annexing land. These and other potential approaches include:

- **Nominate an Agricultural Enterprise Area (AEA).** As described more fully in Chapter Two, the Town could nominate for State approval an AEA over most of the planned Agricultural Preservation Area on Map 10. This will create a greater sense of permanence for farmers in the designated area, enable greater farmland preservation tax credits (thereby reducing the incentive for development and annexation), and perhaps create a regional coalition to make annexation into the AEA unpopular.
- **Pursue Purchase of Development Rights (PDR).** The Town may explore development of a PDR program. If approved, the Town could seek development rights acquisition over parcels that the Town plans for agricultural preservation but the City or Village plans for non-farm development.
- **Permit Town subdivision development.** The Town may support residential subdivision development in "Neighborhood Development Areas" on Map 10, to occur within the Town. Statutes and court decisions have significantly diminished the ability of cities and villages to stop subdivisions in their extraterritorial jurisdictions, and to annex lands that are already occupied by residents. The Town's TDR program may run counter to this approach, because subdivisions on lands annexed to the City of Village would not require the transfer of development rights from Agricultural Preservation Areas.

- **Explore Town utility service.** The Town may investigate the creation of a Town sanitary or utility district in areas close to Village and City, which would eliminate the top incentive for annexation (see Chapter Five for more information).
- **Engage in public communications and persuasion.** Encouraging attendance at Village and City planning meetings at which major growth plans or annexations are being discussed has proven effective in other communities. In many cases, there are people with property in both communities or with significant community influence, who can make such efforts particularly effective.

CHAPTER SEVEN—IMPLEMENTATION

This final chapter of the Vision and Directions volume provides a roadmap of actions to implement the *Plan*'s recommendations. This chapter generally does not cover day-to-day decisions. Instead, it summarizes the programs that the Town may undertake over the next several years, and broadly, how the Town intends to keep this *Plan* relevant.

PLAN ADOPTION

The *Town of Cottage Grove Comprehensive Plan* was adopted following procedures specified by Wisconsin's comprehensive planning statute. The Town included all necessary elements and met all the procedural requirements under the Statute. This included opportunities for public input; involvement with County planning, WisDOT, and adjacent local government staffs; a Town Plan Commission recommendation; a formal public hearing; and Town Board adoption of the *Plan* by ordinance.

MAJOR IMPLEMENTATION RECOMMENDATIONS

Figure 11 provides a recommended order of programming that the Town intends to complete by the next *Plan* update. Each of the programs described in the chapters of this *Plan* have been assigned a priority. While it is the Town's intention to work towards completing each of these programs, establishing an order based on time, need, and those of outside stakeholders. Figure 11 has three different columns of information, described as follows:

- **Category.** The list of programs is divided into different categories, generally based on the different chapters of this *Plan*.
- **Program or Recommendation.** The second column lists the recommended programs taken directly from the chapters of this *Plan*. The programs are Town actions that might be included, for example, in an annual work program or as part of the annual budget.
- **Priority Rating.** "Top" priorities are a primary focus. "High" priorities should advance as soon as practical, assuming that "top" priorities are on course and manageable. "Moderate" priorities may elevate to "high" or "top" priorities, or may be ongoing or time-permitting initiatives.

Figure 11: Comprehensive Plan Priority Programs

Category	Program	Priority Rating
Agricultural Resources	Expand Activity in the Town's TDR Program	Top
	Consider Nominating an Agricultural Enterprise Area	Moderate
Economic Development	Focus Commercial Development at the Highway 12/18/N Interchange Area	Top
	Support Bio-Based Business Development in the Town	Moderate
Transportation	Participate in WisDOT Planning Efforts for Highway 12/18	Top
	Learn More About the Village's "Koshkonong Creek Parkway"	Moderate
Utilities and Community Facilities	Phase Implementation of Community Facility Improvements	High
	Investigate Provision of Public Sewer and Water Service	Moderate
Intergovernmental Cooperation	Pursue Agreements with Village of Cottage Grove and City of Madison	Top
	Work to Limit the Annexation of Town Land	High
Implementation	Consider amendments to this <i>Plan</i> Annually in Spring (February 15 to March 15 Application Deadline)	High
	Update this <i>Comprehensive Plan</i> in 2024-25	Top

PLAN MONITORING, AMENDMENTS, AND UPDATE

The Town will regularly evaluate its progress towards achieving the recommendations of the *Comprehensive Plan*, and amend and update the *Plan* as appropriate. This section suggests recommended criteria and procedures for using, monitoring, amending, and updating the *Plan*.

Plan Monitoring and Use

The Town Plan Commission will, on an annual basis, review its decisions on private development proposals over the previous year against the recommendations of this *Plan*. This will normally occur in spring of each year, and may lead to *Plan* amendments as described below.

The Town will also constantly evaluate its decisions on private development proposals, public investments, regulations, incentives, and other actions against the vision and recommendations in this *Comprehensive Plan*. The Town intends to use the following guidelines to inform each associated decision:

- **Rezoning:** Under County zoning, the Town Board and County Board have shared authority to approve, conditionally approve, or reject requested changes to the zoning of any property in the Town. Town Board action on a rezoning request is preceded by a recommendation of the Town Plan Commission. The Town requires submittal of a site plan or conceptual neighborhood development plan with all rezoning requests, per the design review ordinance. Erosion control and stormwater management plans may also be required. The Town will generally not approve speculative rezoning of lands in the absence of a specific development proposal and site plan.

Proposed rezonings should be consistent with the recommendations of this *Plan*. Specifically, the Future Land Use map and the detailed policies associated with that map will be used to guide the application of the general pattern of zoning districts. However, the precise location of zoning district boundaries may vary, as judged appropriate by the Plan Commission and Town Board. Departures from the exact land use boundaries depicted on the Future Land Use map may be particularly appropriate for projects involving a mix of land uses and/or residential development types, properties split by zoning districts and/or properties located at the edges of future land use areas. In their consideration of rezoning requests, the Plan Commission and Town Board will also evaluate the specific timing of the rezoning request, its relationship to the nature of both existing and planned land uses, and the details of the proposed development. Therefore, this *Plan* allows for refinement of the precise future land use boundaries and Town discretion on the timing of rezonings to implement the *Plan*.
- **Zoning Ordinance Text Amendments:** Changes to the text of the County zoning ordinance will be approved or rejected/vetoed by the Town Board, following a recommendation by the Town Plan Commission where practical. Dane County may not approve a zoning ordinance text amendment if a majority of town boards in the County reject/veto that amendment. The Town will rely on this *Comprehensive Plan* and may rely on the advice of professionals before deciding whether to approve, reject/veto, or take no action on a proposed zoning ordinance text amendment.
- **Conditional Use Permits:** The County Zoning and Land Regulation (ZLR) Committee has the authority to approve, conditionally approve, or reject requests for conditional use permits.

The ZLR Committee may not approve a conditional use permit request if it is rejected by the Town Board. Prior to ZLR Committee action, the Town Plan Commission will make a recommendation to the Town Board on a conditional use permit request, and the Town Board will make a recommendation to the ZLR Committee. The Town requires submittal of a detailed site plan with all conditional use permit requests, unless no change in the condition of the site is proposed. Erosion control and stormwater management plans may also be required.

Proposed conditional use permits should be consistent with the recommendations of this *Plan* to the extent applicable. In their consideration of conditional use permit re-quests, the Plan Commission and Town Board will also evaluate the specific timing of the conditional use permit request, its relationship to the nature of both existing and future land uses, and the details of the proposed development.

- **Land Divisions and Subdivisions:** Both the Town and County review all proposed land divisions and subdivisions against the standards of their respective and independent subdivision regulations. At the Town level, the Town Board will act to approve, conditionally approve, or reject all requested land divisions and subdivisions, following a recommendation from the Town Plan Commission. Separate applications for both the Town and County reviews are required. Frequently, a request for land division or subdivision approval is submitted in tandem with a rezoning request. Erosion control and stormwater management plans may also be required.

The Town Board, following a recommendation by the Plan Commission and a formal public hearing preceded by a Class 2 notice, may approve changes to the text of the Town's subdivision ordinance.

Proposed land divisions should be generally consistent, but not necessarily precisely consistent, with the recommendations of this *Plan*. Specifically, the Future Land Use map, the policies related to this map, and other policies of this *Plan* will be used to guide the general pattern of development and the general location and design of public streets and parks. In their consideration of land divisions, the Plan Commission and Town Board will also evaluate the specific timing of the land division request, its relationship to the nature of both existing and future land uses, its relationship to the Town's TDR program, and the details of the proposed development. Through this *Plan*, the Town allows for the timing and the refinement of the precise recommended boundaries, development patterns, and public roads and parks provided through the land division process, as deemed appropriate by the Plan Commission and Town Board.

- **Building and Zoning Permits:** Prior to the erection or remodeling of any non-farm building in the Town, the petitioner must obtain a building permit from the Town and a zoning permit from the County. Prior to issuance of a building permit, the Town may require site plan and design review and approval of the proposed project. Erosion control and stormwater management plans may also be required.
- **Driveway Permits:** Prior to the issuance of a building or septic permit, the petitioner must obtain from the Town a driveway permit.
- **Other Land Use Actions:** In general, the Town Board, following a recommendation from the Plan Commission, will take all other actions related to land use. These include amendments and updates to this *Plan*; annexations, incorporations, or consolidations affecting the Town;

amendments to Urban Service Areas affecting the Town; and potential Town purchases or sales of land.

Before submitting a formal application to the Town and/or County for approval of any of the requests listed above, the Town urges petitioners to discuss the request conceptually and informally with the Town Plan Commission. Conceptual review almost always results in an improved development product and can save the petitioner time and money.

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 or Town staff/consultants), 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 Clerk schedules a formal public hearing on the Plan amendment in front of the Town Board and publishes a Class I notice at least 30 days before the hearing. The Class I 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. Also, at least 30 days before the hearing, the Clerk provides written notice to those entities that qualify under secs. 66.1001(4)(e) and (f), Stats.
- 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.

- f. Following Dane County action, the Town Clerk sends 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, Village of McFarland, and Towns of Sun Prairie, Medina, Deerfield, Christiana, Pleasant Springs, Dunn, Blooming Grove, and Burke.

PLAN UPDATE

State statute requires that this *Comprehensive Plan* be updated at least once every ten years. As opposed to an amendment, an update is a substantial re-write of the plan document and maps. Based on this deadline, the Town intends to complete a full update of its *Comprehensive Plan* by the year 2025 (i.e., ten years after 2015) at the latest. The Town may consider a full update as soon as 2021 or 2022. This earlier update would enable the Town to consider policy adjustments in a time of remarkable change. It would also realign the regular 10-year update cycle to coincide with the availability of updated U.S. Census data, County air photos, and existing land use inventory.

CONSISTENCY AMONG PLAN ELEMENTS

State statute requires that the implementation element “describe how each of the elements of the comprehensive plan shall be integrated and made consistent with the other elements of the comprehensive plan.” Preparing the various elements of the *Town of Cottage Grove Comprehensive Plan* simultaneously has ensured that there are no known internal inconsistencies between the different elements of this *Plan*.

INTERPRETATION

The Town intends that this *Plan* should be interpreted reasonably to achieve its overall goals, and not in a narrow sense which frustrates or delays realization of its goals. If there is a question as to the interpretation of a provision of the *Plan*, the Town Board shall be empowered to adopt an interpretation of the *Plan*, which shall resolve the issue and may be appended to this *Plan*. The Town Board shall be the only body authorized to interpret this *Plan*.

