Town of Cottage Grove Comprehensive Plan

Vision & Directions Volume



Town of Cottage Grove

Recommended by Plan Commission and Adopted by Town Board: July 5, 2022

Amended by Town Board: January 20, 2025; November 16, 2026

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Adoption and Amendment History

Adopted

July 5, 2022; Town Board Ordinance 2022-07-05; Plan Commission Resolution 2022-07-05 (Replacing 2015 Vision & Directions Volume)

Amended

Jan. 20, 2025; Town Board Ord. 2025-01-20; Plan Commission Res. 2024-11-26 (Adjust TDR ratio; clarify TDR policy within ¼ mile of Village of Cottage Grove; promote dark skies; require early environmental suitability analysis, holding tanks under limited circumstances, and enhanced design for commercial development; adjust policies for County Landfill and McFarland; amend Map 3 along North Star Rd. and for ¼-mile radius)

Nov. 16, 2026; Town Board Ord. 2026-11-16; Plan Commission Res. 2026-09-23 (Clarify development policies for residentially-zoned lots created before 1/1/81; further clarify development policies within a ¼ mile of Village of Cottage Grove; extend timeframe and add criteria for future Plan amendment requests; other minor corrections)

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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. This Vision and Directions volume provides the Town's desired future for its land use, farmland preservation, natural resource protection, recreation, transportation, housing, economic development, and intergovernmental relations.



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, and 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 goals and objectives. Success in achieving policies is usually measurable.
- **Programs** are projects or initiatives advised to achieve *Plan* goals, objectives, and policies, serving as a "to do" list for proactively implementing the *Comprehensive Plan*.

The concluding chapter—Implementation—lays out the Town's overall program for carrying out its *Comprehensive Plan* and keeping it current.

PLANNING PROCESS OVERVIEW

The Town undertook an update to its *Comprehensive Plan* in 2021 for the following reasons:

- Revisit and update the Town's future vision in a time of profound change, particularly with continued and accelerated suburban growth on the far east side of Madison, close to the Town's western border, and in the Village of Cottage Grove.
- Revisit areas and policies for farmland preservation and for residential and commercial development.
- Take advantage of updated 2020 Census and land use information, providing the Town with the most recent and up-to-date data for the *Plan*.
- Place future updates on a more logical 10-year cycle, corresponding to the year after each Census is performed.

The process to update this *Comprehensive Plan* included several opportunities for public and intergovernmental input, including the following:

- Regular meetings of the Town Plan Commission between February 2021 and May 2022 to advise and consider *Plan* contents.
- Regular communications with Town stakeholders through the Town's newsletter and web page, and a special project web page hosted by the Town's consultant.
- March and April 2021: The Town completed a community survey to gather residents' future vision and priorities regarding development and preservation. Most of the 213 survey respondents communicated a desire for natural area preservation and significant concern over loss of Town lands to annexation, particularly from the City of Madison. Complete survey results are an appendix to the Conditions and Issues volume. Responses are also shared in various parts of this Vision and Directions volume where applicable.
- June 2021: The Town invited all owners of 35 or more acres of land to a meeting to discuss the Town's future land use vision and mapping. Meeting attendees were able to fill out a comment form, on which they were able to circle specific areas they owned on the future land use map and comment their preferences and reasons for wanting to change the future land use of their land. The Town received and considered a handful of responses.
- August 2021: Town landowners who requested future land use changes were invited to share their requests with the Plan Commission.
- Summer 2021: The Town's consultant interviewed planners from Dane County, and the City of Madison, Village of Cottage Grove, and Village of McFarland to share ideas and compare plans. The consultant later followed up with County planning staff for detailed review and comment on a draft *Plan* document.
- May 2022: The Town executed an intergovernmental agreement with the City affecting future boundaries between the two.
- July 5, 2022: The Town conducted a joint Town Board/Plan Commission public hearing in advance of *Plan* adoption.

THE TOWN'S VISION

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*.

The Town established the vision statement to the right as part of its 2015 *Plan* update, and reaffirmed this vision with this 2022 update. The vision statement forms the basis for the remainder of this *Plan* and will serve as a tool for evaluation of the Town's performance. The Town of Cottage Grove's vision should be widely disseminated, posted, understood, and referenced in all key Town decisions.

2021 Community Survey Response

"The Town of Cottage Grove is a gem! Let's keep it that way for generations to come!"

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, expansive natural and agricultural land base, and commitment to long-term natural and agricultural preservation. The 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 and natural area preservation and limit 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 under the Town's Transfer of Development Rights (TDR) program.



Owing to its proximity to Madison and major highways, the Town land use pattern also includes mineral extraction, rural residential subdivisions and home sites, and business development focused along Highways 12 and N. The Town anticipates this pattern to continue. For instance, the Town encourages commercial development along U.S. Highway 12/18 particularly near the County Highway N interchange and in a handful of other areas. Additional rural residential development—at densities significantly greater than one home per 35 acres—is envisioned in and around areas of existing subdivisions, with a particular focus on lands south of the Village of Cottage Grove.



Maintaining and enhancing intergovernmental relationships is critical for the Town to achieve its future vision and remain viable in the long-term. These include relationships with Dane County, which shares zoning and land division review authority, and with the three incorporated municipalities that are now next to the Town. This *Plan* acknowledges these relationships, and how they continue to evolve. For example, at time of writing, the Town had just entered a boundary agreement with the City of Madison.

Through this *Comprehensive Plan*, the Town has identified a set of priority programs for the next several years. These include the following (click on program to learn more):



- Expand Activity in the Town's TDR Program
- Maintain Compliance with State Farmland Preservation Rezoning Rules
- Consider Nominating an Agricultural Enterprise Area
- Participate in Intergovernmental Natural Resource Preservation and Mitigation Initiatives
- Utilize the Future Land Use and Transportation Map and Policies to Guide Development
- Pursue Detailed Planning in a Southern Intergovernmental Study Area
- Focus Commercial Development at the Highway 12/18/N Interchange Area
- Investigate a Tax Incremental District
- Support Bio-Based Business Development in the Town
- Participate in WisDOT Planning Efforts for Highway 12/18
- Advance Safe Bicycling and Walking in the Town
- Phase Implementation of Community Facility Improvements
- Apply Town Priorities in Evaluation of Solar Field Proposals
- Pursue Intergovernmental Agreements with Neighboring Municipalities
- Work to Limit the Annexation of Town Land
- Consider Periodic Amendments to this *Plan*
- Update this *Comprehensive Plan* by 2032

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 the planned "Agricultural Preservation Area."
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 (see also "Maintain Compliance…" program below). Map 16, 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 3: Residential Density Unit (RDU) System.

Strong Community Support for Farmland Preservation

83 percent of survey respondents agreed that the Town should encourage more farmland preservation, while 64 percent indicated concern with recent development of farmland in the Town.

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, including its Figure 4.
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 5 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 County 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.

2021 Community Survey Response

"Look for innovative ways to preserve farmlands...."

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 16 in the Land Use chapter. Within these TDR receiving areas, except where exempted per associated Land Use chapter figures, each transferred "residential density unit" enables the development of ten additional homes. In 2020, the Town introduced another TDR option that allowed limited transfers between lands planned in the Agricultural Preservation Area, at a 1-to-1 transfer ratio. Figures 3 and 4, within Chapter Three of this Vision and Directions volume, provide more detail.

The Town's TDR program enabled two residential subdivisions in the latter part of the 2010s and early 2020s, which is an increase over earlier activity levels. The Town seeks to encourage even greater activity in its TDR program, by:

- **Continuing to publicize the TDR program.** Since its inception, there are 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.** 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 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, and this map has been occasionally revised since then. Only Agricultural Preservation Area and Open Space and Recreation Area lands on Map 16 should be zoned TDR-S. The Town and County should review these properties against Map 16 as amended, intergovernmental agreements, and evolving landowner interests.
- **Seeking intergovernmental agreements that acknowledge Town TDR program.** The Town will attempt to secure, through intergovernmental agreements, those parts of extraterritorial jurisdictions where the associated City and Village will not object to residential subdivision development using TDR (receiving areas), and to the permanent preservation of sending area lands.
- **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.
- **Deploying different tools to permanently preserve agricultural and natural areas in acceptable areas.** Agricultural conservation easements applied under Dane County's TDR authorizing language must list, at a minimum, the County and the Town as parties with enforcement rights. No third parties with enforcement rights may be added without approval of the Town and the County. There is some legal doubt that such two-party easements would survive the later annexation of the underlying by a nearby city or village. One potential remedy is to introduce another party—such as a non-profit land trust or farmland preservation organization—as a third holder. The Town will investigate this option along with the County.
- **Reconsidering the maximum 8-to-1 transfer ratio.** Through this planning process, the Town asked its consultant to evaluate whether 8-to-1 was the correct transfer ratio for the Town's standard TDR program option, given changes to the land market that have occurred since the TDR program was introduced. The consultant offered the opinion that 8-to-1 remains an appropriate ratio to both absorb within a residential subdivision/lot prices and to achieve Town farmland preservation objectives. The consultant's evaluation is included in the Conditions and Issues volume. Still, the Town Board and Plan Commission will continue to monitor activity in the TDR program and may advise ratio adjustments in the future if it determines such adjustments appropriate to fulfill Town and program goals. [Author's note: Through a 2025 *Plan* amendment, Town later changed ratio to 10-to-1.]

Maintain Compliance with State Farmland Preservation Rezoning Rules

By administrative rule, DATCP generally requires that at least 80% of the area planned for agricultural preservation in each town be zoned within a certified farmland preservation zoning district. Before the update to this *Comprehensive Plan*, Dane County estimated that the Town of Cottage Grove had 82.59% of its planned Agricultural Preservation Area zoned within a certified farmland preservation zoning district (e.g., FP-35). This percentage decreases each time any land in the Agricultural Preservation Area is rezoned, such as to enable new housing in the Agricultural Preservation Area per the Town's density policy.

In its update to Map 16: Future Land Use and Transportation in the Land Use chapter, the Town better matched areas planned in the Agricultural Preservation Area with current land use and zoning. This will enable the Town's planning-to-zoning compliance rate to increase. Still, the Town will continue to monitor its planning and zoning changes against the DATCP's recommended minimum percentage, and reserves the right to reject, adjust, or pause approval of *Plan* amendments and rezoning applications that may jeopardize continued compliance.

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, Town property owners may choose to nominate some of the Town's 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 establish an even stronger property owner (and intergovernmental) commitment to preserving farmland in the Town, which may limit significant annexations of Town land.

What are Agricultural Enterprise Areas (AEAs)?

An AEA is 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 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, rather than the normal $7.50 per acre credit).

At time of writing, DATCP designated three AEAs in Dane County—in the towns of Dunn and Vienna (with small portion of Westport) and in the Village of Windsor. More information on the State's AEA program may be found by clicking here in digital versions of this volume.

DATCP accepts petitions for nomination of new AEAs each year, usually in the spring. Petition materials are located here. At least five farmers in the proposed AEA must sign the petition, however more is recommended. Interested landowners may also 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.

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, and limit flooding.
3. Encourage water quality and soil conservation in farms and non-farm uses.

Natural Resource Policies

1. Preserve the Town's examples of special landscape features, including wooded drumlins, wetlands, prairie remnants, woodlots, and wide creek corridors.
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 16 of this volume.
3. Use caution in promoting or allowing development over lands with hydric soils as depicted on Map 3, as such soils may present unstable or wet building sites, and their development may contribute to flooding there or nearby.
4. 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 16, are derived from generalized sources or models. They are therefore not always 100% accurate.
5. 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.

2021 Community Survey Response

"Natural resources are our most important asset. Protect these valuable resources."

2021 Community Survey Response

"Protect our greenspace. That is what makes the Town of Cottage Grove beautiful.

6. 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.
7. 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.

NATURAL RESOURCE PROGRAM

Participate in Intergovernmental Natural Resource Preservation and Mitigation Initiatives

Town residents clearly value the natural resource base within Cottage Grove, and prioritize its preservation. While the Town will honor such values when reacting to private development proposals, proactive steps are also warranted particularly in this era of rapid environmental and climatic changes. In most cases, natural resource preservation and mitigation crosses geographic and functional jurisdictional boundaries. The Town has limited resources to tackle broader issues on its own.

The Town will therefore participate—and where warranted initiate—intergovernmental initiatives like the following to preserve and enhance its abundant natural resources and minimize property damage and health issues that may result from improper management:

Strong Community Support for Natural Area Preservation

93 percent of 2021 survey respondents agreed that the Town should encourage more natural area and open space preservation, while 75 percent suggested that natural area preservation should be one of the Town's highest priorities in reviewing development proposals.

- **Recommend and collaborate on Koshkonong Creek hydraulic study, and support implementation of results.** Recent urban growth coupled with increasingly heavy rains and rapid snow melt associated with climate change have resulted in substantial amounts of water entering Koshkonong Creek, causing more frequent and severe flooding. The Town endeavors to collaborate with nearby upstream municipalities and Dane County to perform a flood analysis and hydrologic study of Koshkonong Creek, with the goal of limiting flooding along the creek corridor in the Town. The Town may then aid in implementing study results as local resources allow. Natural hazard mitigation grants through the Wisconsin and Federal Emergency Management Agencies could aid in the study and implementation, particularly if this initiative is listed in the Dane County Natural Hazard Mitigation Plan. An update of that plan was pending at time of writing.
- **Cooperate with Dane County and other community partners on plans for protection of the Blooming Grove Drumlins Natural Resource Area.** As described in the Dane County Parks and Open Space Plan, this project area seeks to protect the glacial

drumlin features found throughout this region, as well as the associated wetlands that surround them, and is directly adjacent to the Town of Cottage Grove. Suggested initiatives that directly include the Town focus around connection of the Capital City Trail and the Glacial Drumlin State Trails. See Chapter Five—Transportation, Utilities, & Community Facilities for further information.

- **Coordinate with the Village of Cottage Grove and City of Madison on the identification and protection of municipal wellhead protection areas.** Direct non-farm uses that could negatively affect groundwater quality away from these areas, and promote responsive nutrient management and conservation planning for farms in affected 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 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. Some examples may 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. Support efforts of the Cottage Grove Area Historical Society to preserve, document, and communicate the area's history and cultural heritage.

6. 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.
7. 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.
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 Town-wide. The Economic Development chapter that follows includes a second map with more detailed guidance for the planned "Commercial Development Area" northeast of the Highway 12/18/N interchange. Together, these maps and policies form the basis for future rezoning, land division, and design review decisions.

LAND USE GOAL

Enable a land use pattern focused on farming and natural area preservation, but also allowing rural living and compatible business opportunities.

OBJECTIVES

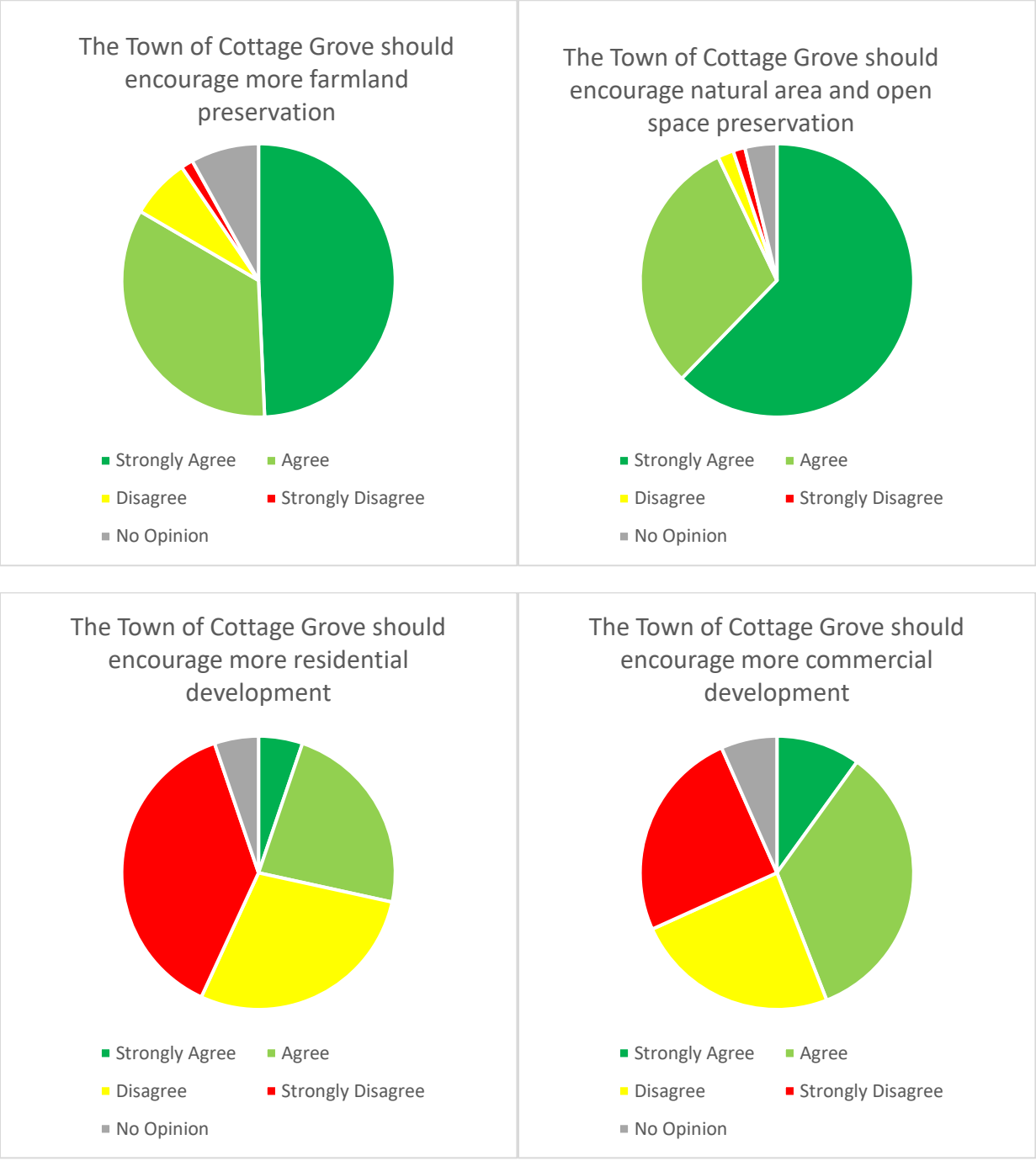
1. Focus on agricultural and natural area preservation, while protecting Town fiscal viability and borders.
2. Direct new development in and around areas of existing development and highways, in a type and form compatible with its setting.
3. Balance community interest in land use with preservation of landowner rights, such as through the Town's transfer of development rights (TDR) program, which minimizes "winners" and "losers" when development proposals are brought forward, through implementation of the land use policies listed below, and through the often-difficult decisions and compromises when private development decisions are brought forward.
4. Emphasize quality, environmental sustainability, and value in new development projects.
5. Maximize the Town's voice in land use decisions in the Cottage Grove area.

Community Support for Preservation, and for Development, in the Right Places

Respondents to the Spring 2021 community survey overwhelmingly supported continued agricultural, natural area, and open space uses in the eastern half of the Town. Respondents were most supportive of residential subdivision development near the northwest corner of the Town (between the Village of Cottage Grove and City of Madison), followed by the Highway N corridor south of the Village. Respondents were most supportive of commercial development in the Highway 12/18 and Highway N corridors.

These preferences have influenced the goals, objectives, and maps in this and other chapters of this *Plan*. See also Figure 1 below plus the complete community survey results within the Conditions and Issues volume of this *Plan*.

Figure 1: Town Resident Preferences on Future Growth and Preservation in the Town



Source: Comprehensive Plan Community Survey, Spring 2021

General Land Use Policies

1. Plan enough area for diverse types of land uses to meet the Town's vision and its demand described in the Conditions and Issues volume.
2. Follow the land use recommendations mapped and described in this *Comprehensive Plan*, including Map 16: Future Land Use and Transportation, this chapter's land use policies in Figures 4 through 10, and Map 17: Conceptual Rural Business Park Development Plan.
3. Assure that incompatible land uses are not located in proximity, or visual and/or noise screening is provided in instances where incompatibilities might otherwise 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 non-farm rural commercial, industrial, and institutional developments to planned Commercial Development Areas on Map 16, and where applicable in general accordance with the suggested layout in Map 16 (particularly with regard to street connections).
6. Direct new rural subdivisions to undeveloped lands within planned Neighborhood Development Areas in Map 16 as a first priority, and to adjacent land in such areas also designated as Rural Neighborhood Expansion Areas on Map 16 following a *Comprehensive Plan* amendment. Discourage *Plan* amendments for new rural subdivisions in other areas. See also Chapter Four—Economic and Housing Development.
7. Maximize use of lands planned for residential or commercial development, for example by assuring that development along the sides of existing roads accommodate future road or driveway access deeper into development sites and enable connections to adjacent sites.
8. Minimize rezones, and restrict subdivision plats and other larger non-farm development proposals in Intergovernmental Study Areas described later in this chapter, until the associated study is completed in the determination of the Town.
9. Pursue collaboration with the Dane County, the City of Madison, the Villages of Cottage Grove and McFarland, the Town of Pleasant Springs, and other abutting towns to achieve mutual land use objectives.
10. Pursue amendments to the farmland preservation plan map within the County Farmland Preservation Plan to correspond with Map 16.
11. Use the documents listed in Figure 2 as the primary substantive bases for Town decision making on the indicated land use and development approvals, as they may be amended. Other Town ordinances and County, State, and federal rules may also apply.

2021 Community Survey Response

"I would like to see our farmland and natural spaces actively preserved and protected from development."

2021 Community Survey Response

"I am very pleased with the direction the Town Board and Planning Commission have gone – balancing development while keeping the rural atmosphere of the Town."

Figure 2: Documents Used to Review Development Approval Requests

Plan or Ordinance	Applicable Plan or Ordinance Chapter or Section	Rezonings	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		✓			

Utilize the Future Land Use Map and Policies to Guide Development

Map 16: Future Land Use and Transportation depicts the Town's desired future land use pattern to carry out its vision. (Map 16 is the first map featured in the Vision and Directions volume of this *Plan*. Maps 1 through 15 are in the Conditions and Issues volume.) Map 16 allocates land uses for a variety of needs anticipated by the Town, presenting recommended future land uses over a 20+ year planning period.

For a description of the "Rural Neighborhood Expansion Area" on Map 16, see policy 6 above. Through Map 16, the Town also suggests proposed transportation improvements, such as the programmed Highway 12/AB interchange, suggested future local roads to serve and interconnect new developments, and a potential future bike and pedestrian trail. These are described more in Chapter Five—Transportation, Community Facilities, and Utilities.

Map 16, along with policies in Figures 3 through 10, guide Town decision making on future land use changes. This Future Land Use and Transportation map is based on the Town's vision; and the goal, objectives, and general policies and programs in this chapter; analysis of development trends and future land demand projections; areas logical for future development based on existing development and other factors; environmental constraints; farmland preservation efforts; anticipated and possible highway improvements; property owner interests; and intergovernmental agreements, opportunities, and challenges. The most notable intergovernmental agreement reflected on the Future Land Use and Transportation map is a 2022 agreement between the Town of Cottage Grove and City of Madison.

2021 Community Survey Response

"I would like to see increased development, but executed so that the Town retains its unique feel and spaciousness. This includes community gathering spaces and outdoor spaces."

What are 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, describes a system of naming and allocating the ability of property owners in the Town to develop land for housing. Transfer of Development Rights, or TDR, is a Town program to enable RDUs to be transferred between parcels.

Figure 3 describes in detail the Town's RDU system and Figure 4 describes the Town's TDR program. Each figure is critical to understanding the policies for the different future land use categories shown on Map 16 and described in later figures in this chapter.

2021 Community Survey Response

"I would like to see less residential and commercial development. We are starting to lose the small town atmosphere as we grow."

Map 16 and related policies in Figures 3 through 10 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 and Transportation 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.

Different circumstances may compel the Town to amend Map 16 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 16 is generally consistent with historic pattern of 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 incorporated municipalities. Additional residential development (i.e., planned "Neighborhood Development Area") is envisioned in and around areas of existing subdivisions, between the City and Village, along the Highway N and Vilas Road corridors south of the Village, and along the Highway BB and Baxter Road corridors east of the Village.

Pursue Detailed Planning in a Southern Intergovernmental Study Area

The Town has designated a "Southern Intergovernmental Study Area" on an interim basis. This designation suggests a work program for a future study that would involve nearby and overlapping (e.g., Dane County, WisDOT) units of government. This designation also affects how the Town will manage land development proposals until the associated study is completed.

The Southern Intergovernmental Study Area is south of Highway 12/18, extending ½ mile both east and west of Highway N over lands that are not presently designated as Commercial Development Area on Map 16. This southern area is part of a two-mile stretch between the Highway 12/18/N interchange and the Interstate 39/90/N interchange, spanning the Towns of Cottage Grove and Pleasant Springs. There has been some property owner interest in redesignating more Commercial Development Area in this Intergovernmental Study Area. However, the Town has determined that such redesignation would be premature for the following reasons:

- In 2020, Town added over 90 acres to the Commercial Development Area in the nearby North Star Road corridor north of Highway 12/18, and based on Map 17: Conceptual Rural Business Park Development Plan added nearly 70 more acres of Commercial Development Area as part of this *Comprehensive Plan* update.
- This southern Intergovernmental Study Area is held by multiple landowners and contains 10-15 homes, who should be involved in any study that may result in the redesignation of this area on Map 16.
- Particularly close to Highway 12/18, this area has significant topographic changes and a waterway (see "Resource Protection Area" on Map 16), which may not be conducive to rural commercial development.
- Such a study should involve the Town of Pleasant Springs, Dane County, and WisDOT, which all have a stake in or influence on its results.

Prior to completion of such a study, the Town will continue to use the Agricultural Preservation Area policies in Figure 5 when considering rezoning and other development proposals in this Southern Intergovernmental Study Area.

FUTURE LAND USE AND TRANSPORTATION

TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN
DANE COUNTY, WISCONSIN

Legend

Future Land Use Categories[1]

- Agricultural Preservation Area
- Agricultural Transition Area
- Open Space and Recreation Area
- Neighborhood Development Area
- Commercial Development Area
- Resource Protection Corridor
- Rural Neighborhood Expansion Area
- Existing Off-Street Trails
- Planned Trails
- Conceptual Future Roads
- Preliminary Highway 12/CTH AB Interchange Design
- Parcels (Nov. 2026)
- Potential Madison Expansion Area (per 2022 intergovernmental agreement)
- Town of Cottage Grove Limits (Sep 2024)
- Surface Water

Notes:
1. Lands in the Agricultural Preservation Area, including lands also mapped Resource Protection Corridor, may serve as TDR Sending Areas in the Town's TDR program. Lands in the Neighborhood Development Area, and in the Agricultural Transition Area once the Town designates such lands as appropriate for more intensive development, may serve as the primary TDR Receiving Areas. The Town may also allow limited transfer of Residential Density Units (RDUs) between parcels in the Agricultural Preservation Area. See Land Use chapter for details and limits.

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

Date: November 16, 2026

0 750 1,500 3,000 Feet

Town of Cottage Grove

MAP 16

Path: S:\MAD\3600--3699\3688\003\Data\GIS\Figures\Map 16 Future Land Use Nov 2026 11x17.mxd User: DanC Date: 11/19/2026 Time: 7:23:46 AM

Figure 3: 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 *Plan*. Properties are allocated RDUs based on their area. Except to the extent limited by an intergovernmental agreement including the Town and this *Plan*, 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 *Plan* 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 4, 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 16: Future Land Use and Transportation are assigned RDUs based on the following schedule:

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 transferred from that parcel, or built upon it except where permitted under the Town's TDR program described in Figure 4. The Town will require a deed restriction prohibiting further residential development on that portion of the parcel owned by the petitioner using the final RDU. 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. Except within the "Commercial Development Area" on Map 16, residentially zoned lots that were legally divided and existed prior to January 1, 1981 ("older lots") are eligible for new home construction and potential further division, provided all associated Town, County, state and intergovernmental agreement requirements are met. (These include the Madison agreement limitations repeated in Development Policy 1. of Figure 5 if the lot is in the Potential Madison Expansion Area on Map 16.) Such older lots are not subject to the RDU requirements in this figure, do not have RDUs for transfer, and are not eligible for RDU transfers to them (i.e., transferred development rights not required). This policy is intended to facilitate residential infill that is consistent in character to the surrounding area. Division of such older lots shall result in the creation of new lots with comparable area, road frontage, and width-to-depth ratio of nearby residentially-developed parcels, as determined by the Plan Commission. As such, new lot sizes may be different from the minimum and maximum in the applicable "New Lot Sizes" section of Figures 5-8.
8. See Figures 5 through 10 for other particular areas of the Town or types of land use where RDUs do not apply. See the ""Development Policies for Agricultural Preservation Area" section of Figure 5 for a description of the relationship between RDUs and farm residences, including their separation from the farm.

Figure 4: 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 4.
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 a recorded TDR Notice Document on the affected Receiving Area lot to the Town Clerk and County Zoning Administrator.

TDR Sending 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 16 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.

TDR Receiving Areas

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 16: Future Land Use and Transportation, 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 *Comprehensive Plan*.
    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 16.
    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 a 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 6 and will remain in the Town following development, 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 Area or Agricultural Transition Area. Based on a 2024 technical review and public input, the Town of Cottage Grove has determined that an economically reasonable transfer ratio is 10-to-1. A transfer ratio of 10-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 16 (subject to the above limitations), that Receiving Area developer would be able to develop 10 housing units above the number of housing units allocated to the May 15, 1982 parcel (see Figure 3), provided that the developer meets all other applicable regulations and policies. See Figures 6 and 8 for potential exemptions for Agricultural Transition Areas and Neighborhood Development Areas close to the Village of Cottage Grove.
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 16, except as allowed in Figure 6 for Agricultural Transition Areas and Figure 7 for Open Space and Recreation Areas.
    b. For each RDU transferred, the Receiving Area landowner 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 to which the RDU is to be transferred must be less suitable for agricultural use than the parcel from 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 5 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 20 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 5: Agricultural Preservation Area Purpose and Policies (two-page figure)

Purpose

- Preserve productive agricultural lands and farming in the long-term (i.e., greater than 15 years at least as defined by State farmland preservation law).
- 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 3: Residential Density Unit (RDU) Principle. This one housing unit per 35 acre policy does not mandate or even allow the creation of 35+ acre residential lots.

Typical Implementing Zoning Districts

For agricultural uses, the FP-35 General Farmland Preservation or FP-1 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-1 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-1 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. Further, not less than 80% of the Agricultural Preservation Area Town-wide ought to be zoned something other than FP-1 or FP-35 (see associated program in the Agricultural, Natural, and Cultural Resources chapter).

New Lot Sizes

Where land is to remain in agricultural use, the FP-35 district has a 35 acre minimum and the FP-1 district has a 1 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, 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 4: 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 4.
4. See "Residential Density Unit (RDU) Allocation" policy 7 in Figure 3 for an exception to RDU and TDR requirements for residentially zoned lots that existed prior to January 1, 1981.

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 3: Residential Density Unit (RDU) Principle and to enable RDU transfers under Figure 4: Transfer of Development Rights (TDR) Program. Further, within the Potential Madison Expansion Area on Map 16, no more than two single-family residences on each contiguous single ownership as of May 17, 2022 are permitted by intergovernmental agreement between the Town and City.
2. **Farm Residences:**
    a. A farm residence built before May 15, 1982 shall not count against this density policy as long as such residence is not separated from the farm as it existed on May 15, 1982, but shall count among the maximum two single-family residences if in the Potential Madison Expansion Area. Separation of the farm residence from the 1982 parcel requires use of one RDU as described in Figure 3 and all zoning and land division requirements must be met.
    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. Any replacement counts as one of the permitted residences in the Potential Madison Expansion Area.
    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 density policy described in paragraph 1 above.
    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. **Rezonings to FP-1:** The number of permitted housing units conferred under this density policy shall not be reduced by rezonings to the County's FP-1 district.
4. **Commercial and Other Land Uses:** The Town generally will not support rezoning of lands for commercial or industrial 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. By intergovernmental agreement, there may be no rezoning for non-residential use within the Potential Madison Expansion Area. In other locations, 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 3 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. The Agricultural Preservation Area within the Potential Madison Expansion Area on Map 16 is excluded.
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, in a manner consistent with this *Plan* and any intergovernmental agreement to which the Town is a party. No parcel less than 35 acres shall be made into a residential lot.
7. **Older Residentially Zoned Lots:** See "Residential Density Unit (RDU) Allocation" policy 7 in Figure 3 for unique development policies applicable to residentially zoned lots that existed prior to January 1, 1981.
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. In the Potential Madison Expansion Area, the residences must be on lots that are contiguous to each other. Within the Agricultural Preservation Area throughout the Town, 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 10 and mapped on Map 16.

Figure 6: 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 or should be 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, 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 Figure 5: "Agricultural Preservation Area" development policies and Figure 3: 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 this Figure 6. 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

1. See Figure 4: Transfer of Development Rights (TDR) Program for TDR program description.
2. Once the Town designates an Agricultural Transition Area tax parcel that is mostly further than ¼ mile from the Village of Cottage Grove as appropriate for more intensive development per policy #4 below, such parcel may qualify as a TDR Receiving Area with a 10-to-1 transfer ratio. Where the majority (greater than 50%) of an Agricultural Transition Area tax parcel designated as appropriate for more intensive development is instead within ¼ mile from that Village's boundary, transferred RDUs are not required to obtain Town approval for development of that parcel with more than the number of housing units (RDUs) allocated to the May 15, 1982 tax parcel. Map 16 shows that ¼-mile radius. Regardless of location, the Town and County may need to rezone any such parcels away from the TDR-R Receiving Area Overlay Zoning District to the extent they are already zoned in that manner.
3. 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 and limitations in Figure 4.

Development Policies for Agricultural Transition Area

1. Designation of lands in the Agricultural Transition Area on Map 16: Future Land Use and Transportation 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.
2. For all lands designated as Agricultural Transition Areas near city/village and town limits, refer to or pursue intergovernmental agreements or cooperative boundary plans to further determine the type, timing, jurisdiction, services, and other aspects of future development. Within the Potential Madison Expansion Area on Map 16, the Agricultural Transition Area will be "intensively developed" as described in this figure only following annexation to the City and provision of municipal sanitary sewer and water services, per the Town-City intergovernmental agreement.
3. Prior to the Town's determination that lands in an Agricultural Transition Area are ripe for more intensive development:
    a. Follow all development policies applicable to the Agricultural Preservation Area in Figure 5.
    b. Require that all development projects be designed not to impede the orderly future development of the surrounding area with more intensive future development.
    c. Generally allow RDU transfers with a 1-to-1 transfer ratio, but only per the applicable policies in Figure 5.
4. 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:
    a. Applicable comprehensive plans, zoning regulations, and intergovernmental agreements. (If prescribed in an intergovernmental agreement to which the Town is a party, the incorporated municipality may determine "ripeness.")
    b. The submittal and detailed understanding of a specific development proposal.
    c. 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.
    d. The availability of public infrastructure such as road capacity, utility availability or capacity, and other public facilities to serve the proposed development.
    e. If such public infrastructure is unavailable, the projected timing of and funding for public infrastructure improvements to serve the proposed development.
    f. The ability of local governments and the school district to cost-effectively provide community services to the proposed development.
5. The Town does not intend to require an amendment to this *Plan* 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 7: 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.
- Provide recreational opportunities to Town residents.
- 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 3: Residential Density Unit (RDU) Principle. This one housing unit per 35 acre policy does not mandate or even allow the creation of 35+ acre residential lots.

Typical Implementing Zoning Districts

For open space uses, NR-C Natural Resource Conservancy is the typical zoning district.

For recreational uses, RE Recreational Zoning is the typical zoning district.

For agricultural uses, the FP-35 General Farmland Preservation or FP-1 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-1 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-1 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.

New Lot Sizes

Where land is to remain in open space or agricultural use, the FP-35 district has a 35 acre minimum and the FP-1 district has a 5 acre minimum and 35 acre maximum. Where appropriate, the RE district has a 1/3 acre minimum.

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 4: 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 4.
4. See "Residential Density Unit (RDU) Allocation" policy 7 in Figure 3 for an exception to RDU and TDR requirements for residentially zoned lots that existed prior to January 1, 1981.

Development Policies for Open Space and Recreation Area

Same as "Agricultural Preservation Area"—see Figure 5, except the Town Board may apply different policies for lands intended for recreational uses.

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

Purpose

- Generally map over and near pre-existing areas of rural residential subdivisions and use, as shown on Map 16. For a description of the "Rural Neighborhood Expansion Area" symbology on Map 16, see "General Land Use" policy 6.
- 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

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.

New Lot Sizes

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 4: 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 4.
3. To build one or more residences on any new lot zoned residential and created after January 1, 1981, the parcel owner must have assigned a Residential Density Unit (RDU) based on the acreage he or she owns as further described in Figure 3, obtain and transfer an RDU originating from a TDR Sending Area, or some combination. For each RDU assigned to the Neighborhood Development Area parcel per Figure 3, one housing unit will be allowed, subject to compliance with other applicable policies of this Plan and Town ordinances. For each RDU obtained and transferred from a TDR Sending Area, the 10-to-1 transfer ratio incentive described in Figure 4 shall apply, except that where the majority (greater than 50%) of a Neighborhood Development Area tax parcel is within ¼-mile of the Village of Cottage Grove, transferred RDUs are not required to obtain Town approval of a residential development on that tax parcel. So, as one example where the Neighborhood Development Area is ¼-mile or greater from the Village, an owner of an undeveloped 80 acres who acquires two RDUs from a TDR Sending Area is allowed 20 housing units from the transferred RDUs (2 transferred RDUs x transfer ratio incentive of 10), plus two additional housing units originally assigned to the 80 acres under the RDU principle in Figure 3, for a maximum of 22 housing units.
4. See "Residential Density Unit (RDU) Allocation" policy 7 in Figure 3 for an exception to RDU and TDR requirements for residentially zoned lots that existed prior to January 1, 1981.

Development Policies for Neighborhood Development Area

1. Designation of lands in the Neighborhood Development Area on Map 16: Future Land Use and Transportation 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. See "Residential Density Unit (RDU) Allocation" policy 7 in Figure 3 for unique development policies applicable to residentially zoned lots that existed prior to January 1, 1981.
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 3.
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 16 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.
9. Require submittal and recording of a declaration of covenants with each residential subdivision plat, including matters such as continued maintenance of shared private facilities and exterior lighting provisions intended to preserve the dark night sky.

Figure 9: 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, but sometimes limit the range and scale of uses through deed restrictions HC Heavy Commercial, but often limit the range and scale of uses through deed restrictions LC Limited Commercial	Minimum lot size is one acre.

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 (continued on next page)

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 16: Future Land Use and Transportation 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—particularly northeast of the interchange. 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. Given its distance from incorporated municipalities and its location, the Highway 12/N Interchange area is the most promising location for future rural commercial development in the Town. The Town will consider a tax incremental district (TID) in this area, following the lead of other Dane County towns that have taken advantage of Town TIDs under State law. Any TID incentive should be tied to exceptional development quality. For more information, see associated programs in Chapter 4—Economic and Housing Development.
   b. *Near Southwest Corner of Town.* Lands near the western edge of the Town benefit 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. Compared to past plans, this area has been reduced in size and starts further from the City of Madison by intergovernmental agreement with the City or could be threatened by future annexation to McFarland.
   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, urban commercial operations here, but additional rural commercial development may also be appropriate here.
3. 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. Where the land requested for rezoning or conditional use permit includes wetlands or wetland indicators per the WisDNR Surface Water Data Viewer, or includes soils with limited or questionable potential for on-site waste treatment (septic) systems per the County Sanitarian, also require a report completed by a soil/environmental scientist hired by the applicant that evaluates the suitability of the land for building sites and on-site wastewater treatment systems of the types, locations, and densities contemplated. Prior to building permit issuance, require that a detailed site and building plan be submitted that is 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 and sometimes wetter locations, the Town is particularly concerned that commercial development contributes to the Town's aesthetic quality and environmental health. Maximizing commercial development served by conventional on-site waste treatment systems and maintaining attractive views to and from highways like 12, N, AB, and North Star Road are of particular importance to the Town. See other policies in this figure, Map 17, and the photographs in the "Focus Commercial Development at the Highway 12/18/N Interchange Area" program in the Economic Development chapter for desired commercial building and siting characteristics.

4. Jointly work with the Wisconsin Department of Transportation, the Dane County Highway and Transportation Department, and developers to ensure that adequate rights-of-way for future roadway expansions and extensions 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.
5. Require developments to address off-site traffic, environmental, and neighborhood impacts.
6. 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.
7. 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.
8. Do not permit parking or storage of vehicles within the public road easement or right-of-way.
9. 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.
10. Assure that development provides access and an attractive rear yard appearance and existing and future development behind these sites.
11. If the business is to operate at night, design all outdoor lighting so as not to create glare, not to shine directly on neighboring residences or into the dark sky, and otherwise to meet Town Design Review Ordinance requirements.
12. Assuming public sewer is not available, generally require use of on-site waste treatment systems as the means of sanitary waste treatment and disposal, and direct new development to sites and to portions of sites that allow for on-site waste treatment wherever practical. Work with the County Sanitarian to permit holding tanks in the Commercial Development Area only as a system of last resort, provided that, prior to permit issuance, the applicant:

    a. Demonstrates through a report completed by a soil/environmental scientist that an on-site waste treatment system(s) are not feasible.
    b. Has explored all reasonable options to direct or cluster development in parts of the site that are feasible for an on-site waste treatment system(s).
    c. Executes a service contract with a WisDNR licensed pumper, and provides a signed copy of that contract to the County and Town. The pumper must file semiannual reports of service on the tank to the County and Town thereafter, and keep all pumping records.
    d. Executes a holding tank agreement with the Town, which among other provisions shall require the owner to pay all charges and costs incurred by Dane County or the Town for inspection; pumping, hauling, or otherwise servicing and maintaining the holding tank; and that if such charges are not paid the Town will place the charges on the tax roll as a special charge.

Figure 10: 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 Conservancy FP-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
1. 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. 2. Work collectively with surrounding local governments, Dane County, and the State on the protection and preservation of these areas. 3. 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. 4. 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. 5. Permit recreational activities such as trails in publicly owned Resource Protection Corridor areas where compatible with natural resource protection. 6. 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: a. more detailed information or studies reveal that the characteristic(s) that resulted in their designation as a Resource Protection Corridor is not actually present, b. approvals from appropriate agencies are granted to alter land so that the characteristic that resulted in its designation will not exist, and/or c. 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, within areas designated on Maps 10 and 11 for such purposes.

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 where practical.
2. Develop commercial development areas within the Town, particularly near the Highway 12/18 and County Highway N interchange.
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 16).
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.

Mixed Opinions on Commercial Development

Less than ½ of 2021 community survey respondents agreed that the Town should encourage more commercial development, but more respondents favored the Highway 12 corridor for commercial development than any other part of the Town.

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 only in designated Commercial Development Areas on Map 16, which are generally away from significant concentrations of housing, 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, and guide landowners on cleaning up contaminated sites that threaten the public health, safety, and welfare.
7. When considering applications for conditional use permits or rezonings for non-metallic mining operations, apply the requirements of the Town Non-Metallic Mining Regulations (Chapter 17 of Town Code of Ordinances) and Section10.103(15) of the Dane County Zoning Ordinance. 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. 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.
8. When considering applications for conditional use permits or rezonings for wireless telecommunication facilities (telecommunication towers and related), apply the requirements of 10.103(9) of the Dane County Zoning Ordinance and the following Town-specific standards:
    a. 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.
    b. 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.
    c. 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.
    d. 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.
    e. All freestanding telecommunication towers should be located to minimize the aesthetic impact on the Town, particularly along and near Nora Road.

2021 Community Survey Response

"The Town should promote more commercial businesses along County Highway N, Cottage Grove Road, and Highway 12/18."

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

2021 Community Survey Response

"We need to have more shopping and services for residents so they don't leave and take their business to Madison or other communities."

Land surrounding the Interchange of 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 the fiscal health of the Town, in order to help preserve farmland and avoid land use conflicts in other areas. It will also be a source of jobs and community identity, and ideally will help advance the agricultural economy.







The above images, plus those included on Map 17, represent the Town's desired building quality in the Highway 12/18/N Interchange Area.

About 550 acres around the 12/18/N interchange area are designated within the "Commercial Development Area" future land use category on Map 16, with associated development policies included in Figure 9. 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 from Interstates 39, 90 and 94 in three directions, 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, Natvig Road, and North Star Road provide for additional local access that is scheduled to be retained even as future highway upgrades are made. Interstate 39-90 interchanges are about two miles to the south and four miles to the west.
- **Visibility.** The sites at this interchange have good visibility from Highways 12 and N to attract businesses that demand good visibility and immediate access.
- **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.

- **Distance.** The 12/18/N interchange area is likely to be distant enough from the City and Villages so that there is little concern for quality rural development in this area, and almost no chance of annexation.
- **Acreage.** The interchange area contains large tracts of vacant land. Even the larger extraction site northwest of the interchange will eventually require restoration to another use.

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. Ideal uses would be dedicated to local food production, agricultural research and experimental facilities, and sustainable non-agricultural uses. Wind turbines may also be appropriate given the results of past wind studies. Other commercial and light industrial uses will also be allowed within this Commercial Development 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 9 of this *Plan*. Because of the intensity and impacts of some of these uses, the Town will discourage new residential development in this area.

Per Map 17: Conceptual Rural Buisiness Park Development Plan, the Town envisions a rural business park over an approximately 300 acre area northeast of the Highway 12/18/N interchange. The proposed structure of the business park is guided by existing roads, natural areas, and development sites and opportunities.

Building from this existing structure, the Plan features the following main "change" components:

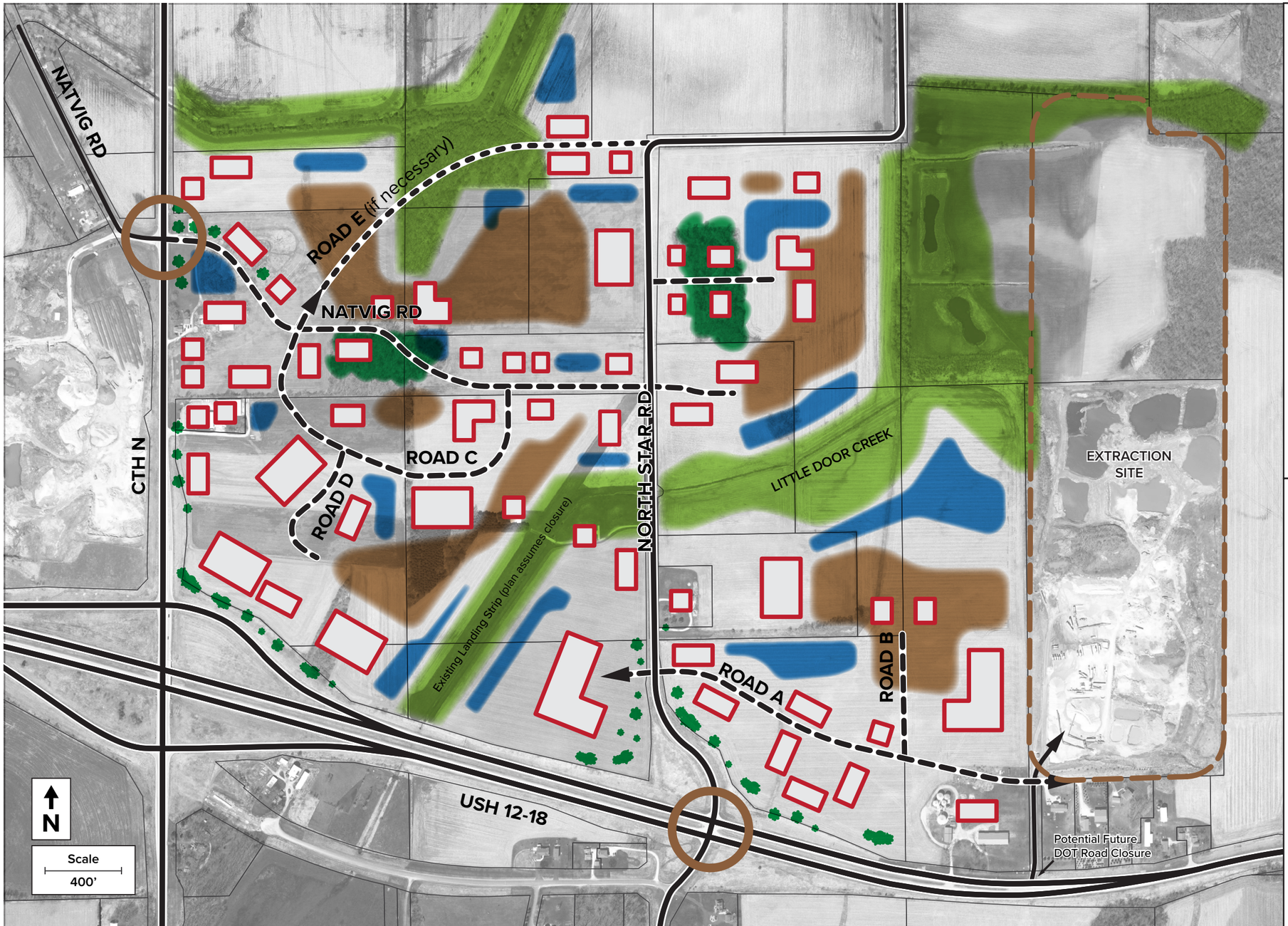
1. **Extending Natvig Road**. Map 17 suggests the extension of Natvig Road from Highway N to North Star Road as land along its route develops. Such a connection would have several benefits, mainly revolving around much better and safer access. At present, the newly improved section of North Star Road is around 3,700 feet long, and then the road continues for another couple thousand feet before terminating. This is an exceedingly long dead-end street that would violate ordinance requirements were it platted today. Left unaddressed, this situation creates significant emergency and business access limitations, especially when the only access is at a busy highway intersection. The proposed Natvig Road extension would eliminate those issues, making the overall development safer and more marketable.

   The proposed roads extending south from the Natvig Road extension (Roads C and D on Map 17) would enhance the value of the sites directly northeast of the 12-18-N interchange. They would also forestall traffic conflicts associated with another road or driveway(s) to these sites from Highway N, if the Wisconsin Department of Transportation (WisDOT) would even allow such access so close to the ramps.

2. **Blending Aesthetics with Value**. Map 17 also suggests the Town's emphasis on marked, landscaped business park entryways at the North Star/12-18 and Natvig/N intersections. It also suggests buildings along the highways and main roads, rather than large outdoor storage yards. This is important to establish a favorable image and maximize tax base. Still, many businesses will likely be attracted to this rural business park setting to have significant (but hopefully screened) outdoor storage yards. Through Map 17, the Town suggests four zones spread over different ownerships where larger outdoor yards would have reduced visibility. These locations were selected

to enable screening via existing and future buildings, deeper locations in the site, and existing woodlots and other natural resources. These are conceptual and could flex as actual development occurs.

3. **Preserving Rural and Natural Character**: Through Map 17, the Town suggests preservation and enhancement of "resource protection corridors" as adjacent land develops. These are a composite of creek corridors, adjacent woodlots, wetlands, and hydric soils. (Other areas of hydric soils align with one or two "larger outdoor storage allowed" areas, reflecting building limitations on such soils.) Map 17 also broadly suggests the Town's preferred building and site "look and feel" through the photographs, and references other resources such as the Town's Design Review Ordinance for development design standards.



LEGEND

- Commercial/Light Industrial Conceptual Building Footprints
- Larger Outdoor Storage Yards Allowed
- Existing Roads
- Conceptual Future Roads
- Conceptual Stormwater Management Areas
- Conceptual Resource Protection Corridors
- Woodland Retention and Landscape Emphasis Areas
- Business Park Gateways (entry signage, landscaping)

For permissible and recommended land uses, and for development design standards, see:

- Town Design Review Ordinance (Section 12.08 of Town Code)
- Applicable Land Division Ordinances (including Chapter 15 of Town Code and Chapter 75 of Dane County Code)
- Figure 8 of Town Comprehensive Plan Vision and Directions Volume (Commercial Development Area Purpose and Policies)
- Program to "Focus Commercial Development at the Highway 12/18/N Interchange Area" in Comprehensive Plan Vision and Directions Volume
- County Zoning Ordinance (Chapter 10 of County Code)
- County Erosion Control and Stormwater Management Regulations (Chapter 14 of County Code)

CONCEPTUAL RURAL BUSINESS PARK DEVELOPMENT PLAN
HIGHWAYS 12/18/N INTERCHANGE—NORTHEAST QUADRANT
TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN
DANE COUNTY, WISCONSIN

OCTOBER 2021

Town of Cottage Grove

MAP 17









Investigate a Tax Incremental District

Areas like the 12/18/N interchange area often develop according to plan where the community is willing to offer development incentives and/or front the cost of major infrastructure. The primary incentive tool available to municipalities in Wisconsin is tax incremental financing (TIF). 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. TIF investments need to meet a "but for" test, generally meaning that the development or infrastructure would not occur "but for" the incentive area.

Options for TIDs in Towns

- **"Urban Town" TID.** Towns that have a population of at least 3,500 and equalized total property values of $500 million qualify for this most flexible type of TID available to towns. Sanitary sewer service is required, and the Town of Cottage Grove does not provide such services. In 2014, the Town (now Village) of Windsor established this type of TID.
- **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 wherein 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 the Town Board determines that a TID is feasible and desirable, activities within the TID would be guided by a TID project plan. In general, within a TID project plan, the Town would need to incorporate the following:

- A feasibility study that assesses whether TIF would achieve the Town's development goals and the area meets the "but for" test.
- An analysis of how creation of the district promotes orderly development in the Town, leaning heavily on this *Comprehensive Plan*.
- 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. This may include the amendment of Section 12.08 Design Review in Town's Uniform Building Code to update development design standards to meet modern needs and the recommendations in Map 17: Conceptual Rural Business Park Development Plan.

- A signed opinion from the Town Attorney advising whether the project plan is complete and complies with State law.

The TID creation process 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. As the above suggests, creation and management of a TID requires legal and technical expertise.

Support Bio-Based Business Development in the Town

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 16, 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 16, the Town will support agricultural-based businesses that are consistent with the policies in Figure 5 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.

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.

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 5).

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 16, and approved expansions to such areas by *Plan* amendment per the "Rural Neighborhood Expansion Area" policy in the Land Use chapter.
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 that meet the guidelines in Figure 8, protect residential areas from infringement by incompatible land uses, promote connectivity of roadway and environmental systems, include energy efficiency and environmental sustainability, preserve rural character, and do not develop in the Resource Protection Corridors in Map 16.
7. Encourage denser forms of housing in Neighborhood Development Areas by promoting use of RDUs and transfer ratios to incentivize development in approved TDR Receiving Areas (see Figure 4).

2021 Community Survey Response

"Any new housing in the Town should be in the form of single-family homes and not multiple-family housing."

2021 Community Survey Response

"I would like to see more age 55 and older housing in the Town."

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 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 them.
3. Discourage use of Town roads for through traffic via signage, speed zones, and 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 substantial amounts of "side of the road" development and multiple driveways on main roads. Promote access from subdivision roads and joint driveways.
6. Require interconnected new roads in planned development areas to control highway access, and improve access to deeper parcels (see potential local road connections on Map 16). Minimize cul-de-sacs and other permanent dead end streets.
7. Support safer walking, bicycling, and additional transportation options for the elderly, disabled, and children.

Advance Safe Bicycling and Walking in the Town

Town residents generally support improved and safer bike and pedestrian access in the Town, and early in 2022 the Town adopted upgrades to the Town Land Division Code to prioritize certain future roads in new subdivisions for bikers and walkers. The Town Board may pursue the following additional activities and others to promote safer bike and pedestrian access:

2021 Community Survey Response

"I would like to see more bike trails and better biking access to other parts of the community and region, particularly the City of Madison bike trail network."

- Partner with the Dane County, the Wisconsin Department of Natural Resources (WisDNR) and the Village of Cottage Grove on the implementation of a connector trail between the Capital City Trail and the Glacial Drumlin State Trail. This segment is the one remaining gap in a shared-use continuous trail extending between Milwaukee and Dodgeville. This trail is anticipated to parallel the railroad from the Glacial Drumlin State Trail trailhead on Highway N in the Village of Cottage Grove to Interstate 39-90. At time of writing, there remain some minor alignment options, as shown on Map 16.

2021 Community Survey Response

"I would like to see networks of paths connecting subdivisions in the Town to services and amenities in the Village."

- Plan for safe trail and road connections from the two main residential development areas in the Town—east and south of the Village—to the extended Glacial Drumlin State Trail. The County Parks and Open Space Plan and Bicycle Transportation Plan for the Madison Urban Area and Dane County envision a north-south shared-use trail extending through the Town of Cottage Grove, from the Glacial Drumlin State Trail to and through this southern residential area, and another connector trail east of the Village (see Map 16). These trails would aid in connecting these residential areas to the completed Glacial Drumlin Trail.
- Keep existing Town roads to a safe, bikeable condition and direct heavy vehicle traffic away from such roads. When scheduling upgrades to Town roads, consider paved shoulders and other improvements to make them more bike- and pedestrian-friendly.
- Work with the Wisconsin Department of Transportation (WisDOT) and Dane County to incorporate appropriate bicycle facilities within all highway reconstruction projects, including where appropriate on-street bike lanes, off-street paths, and safe and convenient crossings.

- Consider use of Town park impact fees from new residential development to help fund the above projects. The Town may utilize park land impact fees to acquire land or easements for trails, and park improvement impact fees to help construct trails. This would most likely come in the form of some local match or contribution to facilitate development of trails managed by the County or State.

Participate in WisDOT Improvement Planning for Highway 12/18

As documented in the Conditions and Issues volume, WisDOT has various programmed, planned, and potential future improvements to Highway 12 through the Town of Cottage Grove. In summary, these include the following:

- New interchange with County Highway AB, about ¼ east of the current intersection. This project, scheduled for 2023 construction, would also include the removal of direct access to Highway 12 to the west, to be replaced by frontage roads. The Town has expressed its support for this interchange as a traffic safety improvement in an area of significant need.
- Potential conversion of the remainder of Highway 12 from Highways AB to N to a full freeway, with no more direct access in between. Instead, overpasses would be constructed for Femrite Drive and Vilas Road. A new system of local/frontage roads would be built to connect properties to Highway AB, Highway N, Femrite Drive, and Vilas Road. At time of writing, WisDOT anticipated construction in 2030. The Town's interests associated with this freeway improvement project include traffic safety and maintaining reasonable access to existing homes, businesses, and properties. The Town intends to participate in further planning and design for this future freeway conversion.
- Possible access improvements and consolidation east of Highway AB, with no construction timeline established. To now, WisDOT has advised that the North Star Road intersection be improved to the current standard for a Type B1 intersection when safety warrants are met. Given its economic development plans (see Map 17), the Town will prioritize retention and improvement of the North Star Road connection.

In addition, by 2022 intergovernmental agreement, the Town of Cottage Grove and City of Madison have agreed to facilitate implementation of the Highway 12/AB interchange and the freeway conversion project between the Highway AB and N interchanges, and to not seek or approve new driveway accesses onto this segment of Highway 12.

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, certified survey maps 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.

2021 Community Survey Response

"I think a healthy balance between the need to provide services and the protection of property rights needs to be considered.

5. The Town does not consider holding tanks an acceptable form of sewage disposal in new residential construction. Holding tanks may be permitted for existing structures and in the planned Commercial Development Area if no other sewage treatment system is feasible (i.e., as a system of last resort). See Figure 9 for additional information and limitations.
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. Continue to monitor the approval and implementation process for the siting of a new Dane County Landfill southwest of the Highway 12/18/AB interchange, and to advocate for Town interests before, during, and after construction.

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.

2021 Community Survey Response

"I would like more parks, bike trails, and pedestrian trails, including a trail that connects the Town and Village with the Madison trail system."

UTILITIES AND COMMUNITY FACILITIES PROGRAMS

Implement Community Facility Improvements in a Phased Manner

Figure 11 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 11: Utilities and Community Facilities Timetable

Utility or Facility	Improvement Timeframe	Comments
Water Supply	No changes anticipated.	All water currently supplied by private wells. Town may consider Utility or Sanitary District in future—see Intergovernmental Cooperation chapter.
Sanitary Waste Treatment	No changes anticipated.	All sewage treatment currently by septic. Town may consider 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 2030.	Explore opportunities to upgrade, expand services, and/or consolidate services at the Town Hall site.
Recycling/Trash Collection	Rebid/renew contract when expires.	In 2024, Town Board approved a new collection contract with a private hauler.
Solid Waste Disposal	New landfill construction proposed to begin in 2027 or 2028.	Town desires to be actively involved in the continued planning and implementation of a new landfill near Town's southwest corner.
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 may consider new and improved parks where residential development has occurred or will occur, via developer dedication and/or using its park impact fees, updated in 2020. Town will also partner on off-street trail and other regional recreational facilities.
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.

Apply Town Priorities in Evaluation of Solar Field Proposals

Solar field proposals and developments are becoming more common in rural communities across Southern Wisconsin as utility companies and consumers desire to switch from fossil fuels to renewables for electricity production. Solar field projects can be fairly modest to very large in scale. In very general terms general, about five to seven acres of land are used for every megawatt of solar power capacity, and each megawatt may power between about 200 and 300 homes. Solar fields are often most feasible near substations and high-capacity transmission lines. If not located immediately adjacent to a substation or transmission line, solar fields must be served by a dedicated transmission line and transformer to connect to the grid, requiring more land for distribution.

Solar fields of 100 megawatts or larger are not subject to local zoning regulations. Instead, these larger solar fields must gain approval from the Wisconsin Public Service Commission (PSC). This process is called a Certificate for Public Convenience and Necessity, or CPCN, which generally requires the PSC to find that the project will:

- Satisfy the reasonable needs of the public for an adequate supply of electric energy.
- Have a design and location that is in the public interest considering alternatives, individual hardships, engineering, economic, safety, reliability, and environmental factors.
- Will not have undue adverse impact on other environmental values such as, but not limited to, ecological balance, public health and welfare, historic sites, geological formations, the aesthetics of land and water and recreational use.
- Will not unreasonably interfere with the orderly land use and development plans for the area involved.

Solar fields sized under 100 megawatts are subject to local zoning regulations and approval. Such small- to moderate-scale community-solar fields are slightly more expensive per megawatt than large-scale solar fields, but fields as small as five to ten acres may still be feasible. Within Dane County, recently opened facilities include a 58-acre field just north of the Dane County Regional Airport and a 160-acre field in Fitchburg. In November 2020, the Dane County Board approved an agreement with Alliant Energy to develop 16.5-megawatt solar field on 140 acres located in the Town of Cottage Grove east of the Dane County Sanitary Landfill, with development approvals provided in 2021. Wisconsin law limits local restrictions on solar developments, only allowing restrictions that:

- Preserve or protect the public health or safety,

Nearby Large Solar Fields

The Badger State Solar Field a 149 megawatt facility located on approximately 1,200 acres of primarily agricultural land in the towns of Jefferson and Oakland in Jefferson County. Construction is projected to be completed in November 2022.

The Badger Hollow Solar Field in Iowa County is scheduled to begin operating in 2023. The solar field is spread across 3,500 acres of agricultural land. The project will produce 300 megawatts of electricity—enough to power over 77,000 homes.

The Koshkonong Solar Energy Center—proposed for lands just 3 to 4 miles southeast of the Town of Cottage Grove—was approved by the Public Service Commission in spring 2022. The project is slated to include a 300 megawatt solar electric generation facility and a 165 megawatt battery energy storage system. Approximately 2,400 acres are proposed for proposed solar facilities.

- Do not significantly increase the cost of the system of significantly decrease its efficiency, and
- Allow for an alternative system of comparable cost and efficiency.

The Town understands and recognizes the benefits of solar energy development. Solar energy does not produce pollution, contribute to climate change, consume water, cause noise or odor, or reflect sunlight. Also, towns in which solar fields are sited often receive payments from their developers or owners. Property owners on which the solar fields are located also enjoy financial benefits.

Still, the Town has the following concerns related to the potential future siting of solar fields used primarily for off-site energy distribution:

- Large-scale solar fields often consume hundreds to thousands of acres of farmland. Farmland preservation is clearly a Town priority, as articulated in the vision and numerous goals, objectives, policies, and programs in this *Plan*. (As an aside, though often referred to as "solar farms," the Town does not consider solar fields to be farming.)
- Solar fields in the Town of Cottage Grove could negatively impact its rural character, viewsheds, and natural environment. These aspects of the Town are prioritized in the agricultural, natural, and cultural resources sections of Chapter Two of this Plan.
- The Town has plans that support future residential and commercial development in certain parts of the Town. These are articulated in the Land Use and Intergovernmental Cooperation chapters. Were large-scale solar fields to instead occupy such areas, such future development would be stopped, impeded, or forced to leap-frog into less desirable areas for development.
- The Town does not desire to be left with a "solar wasteland" if and when a solar field exceeds its useful life; new technologies emerge; the owner or operator goes out of business or otherwise experiences financial difficulties; or some combination.

Given these concerns, the following are the Town's policies relative to the siting of solar fields primarily intended for off-site energy distribution:

1. Do not site on Group I agricultural soils, and discourage on Group II soils, as depicted on Map 2: Soil Suitability in the Conditions and Issues volume of this *Plan*, as these align with the most productive farming areas of the Town.
2. Do not site over lands designated as Agricultural Transition Area, Neighborhood Development Area, Commercial Development Area, or Open Space and Recreation Area on Map 16: Future Land Use and Transportation. These areas are instead intended for other forms of development or conservation, in line with local plans and agreements.
3. Discourage within the viewshed of any residential subdivision, public recreation land, or Highway 12/18; or effectively screen the solar field from views from these places using topographic changes, woodlands, setbacks, and/or landscaped berms.

4. Require siting along existing electric transmission lines capable of distributing energy from the solar field, or require that new lines outside of the solar field be buried, in order to minimize the installation of new overhead lines outside of the solar field in the Town.
5. Require the submittal of site, grading, stormwater management, and erosion control plans to comply with associated Town, Dane County, and State regulations.
6. Discourage the large-scale removal of topsoil, mature trees, and woodlands; preserve environmental corridors and logical animal movement routes; and promote prairie and pollinator-friendly vegetation as ground cover throughout the solar field.
7. Require every solar field proposal to include an evaluation of environmental, wildlife habitat, architectural, archeological, cultural, and other resources on and near such site, and avoid negative impacts on such resources.
8. Require adequate security and other legal assurances that financial resources are available to remove the solar field and all associated equipment and infrastructure when their usefulness or lifespan is exhausted, other technologies render the facilities obsolete or no longer cost effective, or the owner or operator goes out of business or is otherwise financially unable to maintain the facility or remove the equipment and infrastructure following use.

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 and agreements to promote logical municipal boundaries, desirable land use patterns, and workable transportation solutions near community edges and through the Town.
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.

2021 Community Survey Response

"The Town and Village should consider a merger, or at least a collaboration of services to save money."

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 identified in plans and studies of the Wisconsin Department of Transportation.
7. 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 Intergovernmental Agreements with Neighboring Municipalities

As shown on Map 16, the Town of Cottage Grove now shares municipal borders with three incorporated municipalities: the Village of Cottage Grove, City of Madison, and Village of McFarland. These municipalities have the ability to annex land from the Town, extend sanitary sewer and water utilities, and influence land development in the Town through extraterritorial jurisdiction authority. All three municipalities have aspirations for expansion beyond their current municipal boundaries.

The Cottage Grove Town Board and Plan Commission believe that the best way to retain as much land as possible in the Town, and to have as much influence as practical for land that remains in the Town, is to pursue intergovernmental boundary agreements. There are two main forms for such agreements in Wisconsin, as described to the right, and such agreements often cover the following matters:

- **Municipal and Urban Service Area 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 (and sometimes urban service area) boundaries are established in intergovernmental boundary agreements based on logical service areas, growth plans and projections, and community separation interests. Mutually agreed boundaries provide greater certainty to both municipalities, property owners, developers, and the general public as to where intensive development could occur and where it could not.
- **Reconcile Future Land Use Recommendations.** Map 16 in Chapter Three shows the Town's future land use plan. The future land use map for the villages and City are

Intergovernmental Boundary 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 maximum term.

included in the Conditions and Issues volume. There are significant differences between the Village and Town of Cottage Grove plans for areas that are currently in the Town of Cottage Grove. Intergovernmental agreements often include provisions to amend comprehensive plans as necessary to be consistent with the agreement. This also provides greater clarity and certainty for the participating municipalities, property owners, developers, and the general public.

2021 Community Survey Response

"Annexation is inevitable. Take some control by making deals with neighboring municipalities."

- **Refine Extraterritorial Options.** Intergovernmental boundary agreements often discuss the geographic and substantive extent of village or city review of extraterritorial land divisions. Innovative approaches to achieving shared growth management and land use objectives, such as cooperative extraterritorial zoning, may also be discussed. Under such as system, the village/town and/or city/town would jointly make zoning decisions within the extraterritorial zoning area.
- **Explore Shared Programs or Services**. Agreements may specify opportunities for co-operation or consolidation of local services or programs, such as related to parks and recreation or street maintenance. Municipal revenue sharing from development in areas of joint interest is also possible.

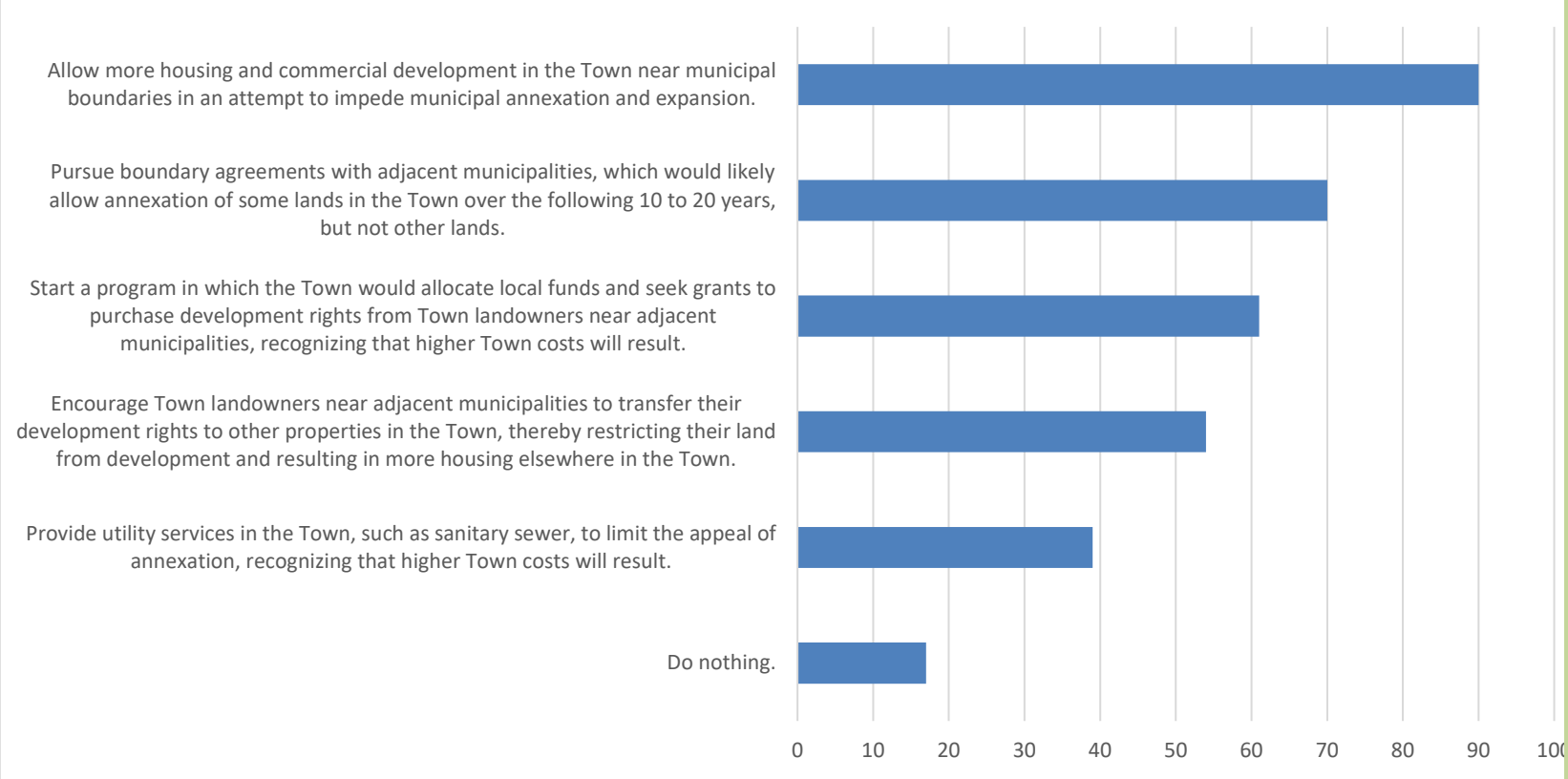
Usually, enabling a small team to negotiate an agreement—ultimately approved by the governing body—is the best approach for working out a successful agreement. Municipal attorneys need to place any agreement in a proper legal format prior to adoption.

In Spring 2022, the Town of Cottage Grove and City of Madison executed an intergovernmental agreement that affects locations for potential future annexation and development within the western parts of the Town. That agreement is summarized and mapped in the Conditions and Issues volume. This Vision and Directions volume has been crafted for consistency with the agreement. The City is also required to amend its comprehensive plan accordingly. It is possible that the Town may have to amend its *Comprehensive Plan* further in the coming years to reflect experience with implementing this agreement. The agreement allows five years for all required *Plan* amendments.

The Town is also interested in intergovernmental boundary agreements with the Village of Cottage Grove and the Village of McFarland. Both the Town and the City of Madison are required to inform the other when negotiating an agreement with either of these two villages, and to only enter agreements that are consistent with the executed Town-City agreement. The Town and Village of Cottage Grove have discussed an agreement, including as recently as the past five years, but such discussions have not advanced. In the early 2020s, Village of McFarland staff had expressed willingness to discuss a potential boundary agreement with the Town. McFarland's 2023 East Side Plan suggested the Village's further expansion into the Town in a manner that does not fully comport with either this Town Comprehensive Plan or the 2022 agreement between the Town and the City of Madison. The extent of McFarland's extraterritorial land division review jurisdiction into the Town is also uncertain. These could be topics of conversation and potential agreement.

Preferred Methods of Limiting City and Village Growth Pressures on Town

The 2021 community survey asked the following question: "Over the next decade, the Town will likely continue to have development pressure from, and annexations to, adjacent municipalities. Which approach or approaches do you think the Town should take to deal with this pressure?" Six options were offered, and respondents could select more than one. The results are indicated below.



Work to Limit Annexation of Town Land

The Town will work to limit annexation via other means where boundary agreements are not successfully executed. Significant annexation into the Town 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. Aside from boundary agreements, the Town will consider these and other potential approaches to limit annexation:

- **Encourage further Town subdivision development.** The Town may support further residential subdivision development in the "Neighborhood Development Areas" on Map 16, and potentially beyond them via future *Plan* amendments. 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.
- **Explore Town utility service.** The Town may investigate the creation of a Town sanitary or utility district(s) in areas close to Village limits. 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. Within the northwest part of the Town, there is existing approved urban service area, where sanitary sewer service may be legally extended, plus a Madison Metropolitan Sewerage District (MMSD) sanitary sewer interceptor. Municipal sewer and water service would also enable greater residential and commercial density, thereby increasing the Town's tax base.

> **2021 Community Survey Response**
>
> *"The Town should bring in sewer and water services to subdivisions being surrounded by the Village. This would help prevent Village and City encroachment.*

- **Nominate an Agricultural Enterprise Area (AEA).** As described more fully in Chapter Two, an AEA over most of the planned "Agricultural Preservation Area" on Map 16 would 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.
- **Explore 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 Village plans for non-farm development. Having a third-party easement holder, such as a non-profit land trust, seems important to assure that such development rights could not be restored following annexation.
- **Engage in public communications and persuasion.** Encouraging attendance at Village 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 closing 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 several opportunities for public input; involvement with planning staffs from Dane County, adjacent villages and Madison, and the Wisconsin Department of Transportation; a formal public hearing; a Town Plan Commission recommendation; and Town Board adoption of the *Plan* by ordinance.

MAJOR IMPLEMENTATION RECOMMENDATIONS

Figure 12 enumerates the programs described in the chapters of this Vision and Directions volume of *Plan*, including three different columns of information described as follows:

- **Category.** The list of programs is divided into categories based on the different chapters of this *Plan* volume.
- **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 at the Town Board's discretion, or may be ongoing or time-permitting initiatives.

Figure 12: Comprehensive Plan Priority Programs

Category/Chapter	Program	Priority Rating
Agricultural, Natural, and Cultural Resources	Expand Activity in the Town's TDR Program	High
	Maintain Compliance with State Farmland Preservation Rezoning Rules	High
	Consider Nominating an Agricultural Enterprise Area	Moderate
	Participate in Intergovernmental Natural Resource Preservation & Mitigation Initiatives	High
Land Use	Utilize the Future Land Use and Transportation Map & Policies to Guide Development	Top
	Pursue Detailed Planning in a Southern Intergovernmental Study Area	Moderate
Economic Development and Housing	Focus Commercial Development at the Highway 12/18/N Interchange Area	Top
	Investigate a Tax Incremental District	High
	Support Bio-Based Business Development in the Town	Moderate
Transportation, Utilities, and Community Facilities	Advance Safe Bicycling and Walking in the Town	High
	Participate in WisDOT Improvement Planning for Highway 12/18	High
	Phase Implementation of Community Facility Improvements	High
	Apply Town Priorities in Evaluation of Solar Field Proposals	High
Intergovernmental Cooperation	Pursue Intergovernmental Agreements with Neighboring Municipalities	Top
	Work to Limit the Annexation of Town Land	High
Implementation	Consider Periodic *Plan* Amendments	High
	Complete 10-year Update to *Comprehensive Plan*	Top, in 2031-32

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 every-other-year basis in even years, review its decisions on private development proposals over the previous two years 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:

- **Rezonings:** 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 its 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 and Transportation 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 and Transportation 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 requests, 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 and Transportation 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 per its design review ordinance. 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 acquisition or disposition 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 each 10-year *Plan* update. As opposed to a 10-year *Plan* update, "amendments" are typically targeted, minor changes to certain parts of the *Plan* maps or text.

The *Plan* will be specifically evaluated for potential amendments once every three years starting in 2029, with the process starting in February. Between February 15 and March 15 of each such 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 Town Board reserves the right to direct a *Plan* amendment in a different timeframe to capture a unique opportunity, avoid a potential problem, or correct an obvious and important mistake.

It the evaluation, recommendation, and potential adoption of each proposed *Plan* amendment, the Commission and Board will utilize the following *Plan* amendment criteria:

- The extent to which the proposed *Plan* amendment is consistent with, or even advances, the Town's vision listed in Chapter 1 and goals and objectives listed in subsequent chapters of the *Plan*.
- The degree to which the *Plan* component being sought for amendment has become irrelevant or contradictory to emerging policy, initiatives, conditions, or trends.
- Whether the proposed amendment is addressing a policy matter (which would be viewed with heightened scrutiny) or clarifying the *Plan* with a policy-neutral impact or addressing an internal inconsistency (which would be viewed with lower scrutiny).
- If the proposed *Plan* amendment is to Map 16: Future Land Use and Transportation, or to written development policies in this *Plan*, in a manner that would provide more non-farm development opportunities to one or more landowners:
    - Whether potential public benefits of the proposal will outweigh potential adverse impacts, after taking into consideration the applicant's proposal and any provisions to ameliorate such impacts.
    - The extent to which the proposal is addressing an unmet or inadequately met need in the Town.

- The number of other vacant, developable parcels in the Town for similar types and densities of development as proposed, and the likelihood of those parcels developing before the next scheduled *Plan* update.
- Whether the proposed *Plan* amendment is linked to a particular and likely development proposal (ideally supported by a thoughtful conceptual development plan), versus being proposed for speculation/to increase the future sale price of the land (which would be viewed with heightened scrutiny).

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 the *Comprehensive Plan*:

a. The Plan Commission or Town Board initiates the proposed *Comprehensive Plan* amendment. This will usually occur as a result of Plan Commission review of the *Plan* per the above schedule.

b. Following an opportunity for public and Dane County Planning and Development Department 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 1 notice at least 30 days before the hearing. The Class 1 notice shall contain the date, time, and place of the hearing, a summary of the proposed *Comprehensive Plan* amendment, the name of a Town employee to be contacted to provide information about the amendment, the location and time wherein the amendment can be inspected before the hearing, and information about how a copy can be obtained. 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 *Plan* 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.

2021 Community Survey Response

"Thank you for seeking our input as residents of the Town. I am so grateful for our Town Board's experienced leadership!"

f. Following Dane County action, the Town Clerk sends copies 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 (before October 1, 2027), 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 2032 (i.e., ten years after 2022) at the latest.

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*.