

Regular Plan Commission Meeting

Meeting Notice and Agenda

Village of Cross Plains
2417 Brewery Road, PO Box 97
Cross Plains, WI 53528
(608) 798-3241

Monday, January 4, 2016
7:00 pm

- I. Call to Order, Pledge of Allegiance, and Roll Call
- II. Public Comment – This is an opportunity for anyone to address the Plan Commission on any issue NOT on the current agenda. *Please observe the time limit of 3 minutes.* While the Plan Commission encourages input from residents, it may not discuss or act on any issue that is not duly noticed on the agenda.
- III. General Business
 1. Discussion and action regarding minutes of regular meeting held December 7, 2015.
 2. Discussion and action to make a recommendation to the Village Board regarding a Development Proposal from Veridian Homes in order annex and develop 2504 Military Road (Buechner Farm) as a residential subdivision.
 3. Consideration of Ordinance #01-2016 amending Subsection (g) of Section 84.26-84.36 reducing the minimum pavement setback from five (5) to three (3) feet; and creating Section 84.65(g)(5)(b) establishing five (5) feet as the setback for all other residential accessory structures.
 - a. Public Hearing**
 - b. Discussion and action to make a recommendation to the Village Board.
- IV. Adjournment

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related Open Meetings Law. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the Village Hall at (608) 798-3241 or matt@cross-plains.wi.us.

Regular Plan Commission Meeting

Regular Meeting Minutes

Village of Cross Plains
2417 Brewery Road, PO Box 97
Cross Plains, WI 53528
(608) 798-3241

Monday, December 7, 2015

7:00 pm

I. Call to Order, Pledge of Allegiance, and Roll Call

President Andreoni called the meeting was called to order at 7:00 pm.

Present: Commissioners Todd DuQuette, Ron Hilmanowski, Mitch Hogan, Judy Ketelboeter, Cliff Zander and President Pat Andreoni.

Not-Present: Randy Case.

II. Public Comment – None.

III. General Business

1. Discussion and action regarding minutes of regular meeting held November 2, 2015

– A motion was made by Commissioner Ketelboeter, seconded by Commissioner Hilmanowski, and unanimously carried by the Plan Commission to approve the regular meeting minutes held November 2, 2015.

2. Discussion and action to make a recommendation to the Village Board regarding a proposed Certified Survey Map request for Kimberly Maahs located at 1807 Main Street

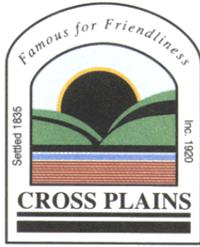
– Following discussion, a motion was made by Commissioner DuQuette, seconded by Commissioner Hogan, and unanimously carried by the Plan Commission to recommend approval to the Village Board regarding a proposed Certified Survey Map request for Kimberly Maahs located at 1807 Main Street.

IV. Adjournment – A motion was made by Commissioner DuQuette, seconded by Commissioner Hilmanowski, and unanimously carried by the Plan Commission to adjourn the meeting at 7:03 pm.

Pursuant to law, written notice of this meeting was given to the public and posted on the public bulletin boards in accordance with Open Meetings Law.

Respectfully submitted,

Thomas E. Malone
Assistant Village Administrator



Village of Cross Plains
PO Box 97, 2417 Brewery Road
Cross Plains, WI 53528
Phone: (608) 798-3241
Fax: (608) 798-3817

Memorandum

To: Plan Commission
From: Matthew G. Schuenke, Village Administrator/Clerk-Treasurer
Date: December 30, 2015
Re: **Review of the Annexation Factors for the proposed Veridian Subdivision (Buechner Farm)**

Executive Summary

The Village entered into a Pre-Annexation Agreement with VH Cross Plains, LLC on September 28, 2015 in order to annex 40 acres of land into the Village to be developed as a public and private partnership. A portion of the property will be used for new single family homes and another portion of the property will be used to site future public facility improvements. The Developer is responsible for completing the Village's Preliminary Procedures including a statement on the Statutory procedure for annexation, a Development Plan, and a Financial Analysis. Village Staff has been working with the Developer on the Preliminary Procedures in order to conduct its official review against the Annexation Factors established within the Village Code. These two sections combined, Preliminary Procedures and Annexation Factors, make up the Development Proposal to be considered by the Plan Commission at its January 4, 2016 meeting in order to make a recommendation to the Village Board. This memorandum will summarize the Preliminary Procedures, review the Annexation Factors, and provide a summary of the next steps in the annexation process.

Preliminary Procedures

Section 82.03 of Chapter 82 (Exhibit D) defines the requirements for the Preliminary Procedures. All requests for annexation have to fulfill these requirements in order to be considered by the Village. All three items are attached for your consideration as the review process is conducted. Please note the following about each item as they are currently presented:

- *Section 82.03(a) – State Statutes (Exhibit A):* The applicant will petition the Village for direct annexation by unanimous approval as is defined in State Statute 66.0217(2) (Exhibit E). The process requires signatures on the petition from the property owners of and electors residing in the area proposed for annexation. The property in question is located at 2504 Military Road including Parcel #0707-022-9500-3 and #0707-022-9650-2. This is the simplest process for a property to be annexed into a City or Village. The Town Clerk is notified in the petition and there is no notice or public hearing requirement.

- *Section 82.03(b) – Development Plan Required (Exhibit B):* The Development Plan details several planning aspects related to the proposed annexation. This includes reasoning for annexation, description on development, land use plan, municipal services needed, satisfaction of State Statutes, intended zoning, concept plan, and anything else the Village considers reasonable to be included in the Plan. The Plan provides for the development of 43 single family homes utilizing both SR-4 (Exhibit F) and SR-5 Zoning (Exhibit G) along with related roads, sidewalks, stormwater treatment facilities, and other amenities as needed. The Village will be acquiring just over 15 acres as part of the Development to allow for future public infrastructure development and the remainder of the property will go into conservancy. A small portion of the property is outside of the Village’s existing Urban Service Area which will require an amendment to adjust the boundary from the Capital Area Regional Planning Commission (CARPC) and Department of Natural Resources (DNR).
- *Section 82.03(c) – Financial Analysis Report (Exhibit C):* This report looks at the financial aspects of the project comparing revenues generated from new property values against projected expenses created by the properties to be served. Revenue is estimated based on values reported by the Developer and compared against similar properties (pages 2-3). The total assessed value is derived on a per lot basis in order to apply the Village’s 2015 Mill Rate. Total expenses are extracted from the 2016 Budget by line item or Department in order to be categorized as requested in the Ordinance (pages 4-5). There are approximately 1,505 parcels in the Village that is then divided by each line item to derive the per parcel expense established for the coming year. This number is then applied to the number of lots being added to the Village to calculate the estimated operating expense the Development will create. This allows for the revenue and expense to be compared as a means to project performance (page 6). The report shows that the Development will add \$162,966 in new revenue at build out against \$158,264 in new expense. This projection yields a slight surplus; however, decisions regarding the actual use of new revenue can only be determined at the discretion of the Village Board through the annual budgeting process.

Annexation Factors

Section 82.04 of the Village Ordinances provides the evaluation platform “in order to evaluate the impact of a proposed annexation on the Village.” By code, “the Village may consider any factor it considers relevant including, but not limited to, the following factors:”

- a) Whether the property is located within a Village urban service area* – A substantial majority of the property is located within the Village’s Urban Service Area (USA); however, a boundary adjustment is needed to better align the limits of the USA with the surveyed base of hillside. The Village’s request to the DNR to adjust the boundaries will both add property to the USA as well as remove some based on the new line proposed. This request was filed jointly with the DNR and CARPC with an expected administrative decision completed in April/May 2016.

- b) *Whether the property is located within a planned Village growth area as identified in a Village Land Use Map* – The Future Land Use map within the Village’s Comprehensive Plan labels the buildable space within this Development as a Planned Single Family-Urban Development. Single Family–Urban category is the main residential land use design to promote single family housing. The proposed Development complies with this section of the land requirements through the use of municipal utilities and the Development Plan required within the Annexation Code. The Planned Neighborhood designation desires to promote a variety of housing choices and potentially mix in other non-residential uses. The project currently proposes to develop all lots as single family homes, thereby meeting the minimum threshold of 65%; plus the adjacent public facility improvements, park equipment, and conservancy expansion through trails. Two different levels of density are recommended by the Development Plan with about half of the homes proposed under SR-4 and the other half at SR-5 offering a wider variety of lot sizes and housing styles. Other types of residential and non-residential uses are not being recommended at this time by Village Staff due to the space constraints. The property is therefore clearly designated for development on the Comprehensive Plan’s Future Land Use Map.
- c) *Whether the Village possesses adequate sanitary sewer capacity to serve the property once it is developed* – The Village last reconstructed the Wastewater Treatment Plant in 2008. The Village is capable of treating wastewater through the solid waste disposal process. The Village contracts with Dane-Iowa Wastewater Plant for the final phase in disposing of the solid waste removed from the water. Current capacity for the plant is estimated at 540,000 gallons per day and we currently use 242,000 per day on average. The addition of this many users is forecasted at approximately 3,500 gallons per day leaving the plant with adequate capacity post development. The Wastewater Treatment Plant has the current capacity to add the users listed in the Development Plan.
- d) *Whether the Village possesses adequate municipal water capacity to serve the property once it is developed* – The Village provides municipal water through two high capacity wells. Well #1 is located at the end of East Street and Well #2 is located adjacent to this development in Baer Park. The Development as proposed will utilize municipal water to be provided by the Village’s Water Utility. Current capacity for the two wells combined is estimated at 1,300,000 gallons per day and we currently use 420,000 per day on average. The addition of this many users is forecasted at approximately 10,000 gallons per day leaving the plant with adequate capacity post development. The municipal water system has the current capacity to add the users listed in the Development Plan.
- e) *Whether the Village possesses adequate police, fire, emergency medical, public works, and administrative services to serve the property once it is developed* – Exhibit C lists the Financial Analysis report looking at the projected revenues created by new development and expenses associated with serving the properties including public safety, public works, utilities, cultural amenities, administrative services, and other costs. The proposed Development is being designed to urban standards similar to other developments within the

Village. This allows for the Village to provide a consistent level of service without any unique or unusual features. When the adjacent public facility developments are implemented, service to this area is likely to improve. As the Village grows, the need for staffing, materials, and the expansion of other contracted services (i.e. – garbage/recycling collection) will have to be examined in order for revenue created by the Development to pay for the expenses needed to serve it. The Village possesses adequate services to serve this property in an urban setting once developed, but will have to adjust over time as it grows.

- f) *The cost of providing Village municipal services to the property once it is developed* – Approximately \$2,329.56 per parcel is proposed to be spent in 2016 to provide Village services through the General Fund, another \$922.76 per parcel for sewer service, and \$428.24 for municipal water (Exhibit C). This is based on the 1,505 parcels currently established within the Village and a 2016 Budget of \$3,506,000 for all taxable funds (i.e. General, Library, Parks/Rec, and Debt Service). The 2016 Budget for the Sewer Fund is set at \$1,388,750 and the Water Utility at \$644,500 as enterprise funds. The 43 lots are projected to be completed over the course of 2 phases with Phase 1 adding the largest projected expense at \$99,375 (27 lots) and Phase 2 at \$58,889 (16 lots) for a total projected expense of \$158,264. The cost for providing Village municipal services to the Property is consistent with existing single family properties and contains no unexpected expenses.
- g) *Whether it is desirable to extend Village municipal services to the property* – It is not only desirable to extend Village municipal services to this location but necessary in order to implement growth in areas designated for such use within the Comprehensive Plan. Without the extension of these services, the property would develop far less dense than what is proposed, require Village roads for access, and still be within the township. Military Road will need to be extended with utilities to serve this and future developments, but necessary services are adjacent to the proposed development making them available for use.
- h) *What impact the proposed annexation and development have on municipal services in the Village, and how the Village will provide such services to the property* – The proposed annexation will add 40 acres with 43 single family lots, 15 acres of public facility development, and 8 acres of conservancy expansion. This will require additional protection of life and property as well as create new infrastructure to maintain. The added population will provide new “users” for the Library, Garbage/Recycling, Parks/Recreation programs, and utilities. The added road miles and stormwater infrastructure will be maintained by Public Facilities. The Fire District will see an increase of approximately \$15,855,000 assessed value to protect, and likewise, the EMS District will see an increase in their population served based on the funding formulas for each organization. The Police Department will also see an increase in areas to patrol going forward. With the core urban services established, the key for the Village will be how best to address Staffing needs to meet the demands for the expansion. Staffing needs already exist in the Police and Public Facilities Department, and there may be secondary needs that develop as well within Administrative Services, Library, Parks/Rec, Utilities, and/or public safety districts. The value added by the development will support the expansion of our services; however, additional future planning is necessary to properly account for the integration of this expansion.

- i) *The amount of property tax and other Village revenue generated by the property once it is developed* – There are 43 lots proposed within the Development with values ranging from \$325,000 to \$435,000 per lot which at the conclusion of the project would yield a total estimated assessed value of \$15,585,000. The current mill rate for the Village is \$21.88 per \$1,000 of value. This would generate an additional \$341,000 for all the taxing jurisdictions and \$112,871 for the Village specifically at build out. Further, the estimated revenue generated by user charges would bring in an estimated \$12,384 per year for the Water Utility and \$37,668 for the Sewer Fund on an annual basis when complete. Total additional revenue at the conclusion of the project is estimated at \$162,966, compared with the total projected expense of \$158,264. These projections present a slight hypothetical surplus of approximately \$4,659 which may be diverted to other needs as determined in the annual budget.
- j) *Whether any deficiency in the provision of municipal services can be addressed by the Village and petitioner through a pre-development agreement* – The Pre-Annexation Agreement authorized in September 2015 addresses the basis design needs for the development known at the outset of the project. A Pre-Development Agreement is currently being pursued for approval in January 2016 to define the terms for the Village’s acquisition of property through an offer to purchase. All remaining issues shall be addressed through the review of the Development Proposal, Annexation Ordinance, Preliminary Plat, and Final Plat to be incorporated into one final Development Agreement at the conclusion of the review. The Staff Review has not uncovered any other deficiencies in the provision of municipal services.
- k) *Whether the annexation is consistent with the goals, objectives, policies, and recommendations of the current Village Master Plan* – The Village’s Comprehensive Plan was originally adopted by the Village on June 9, 2008 and subsequently revised the Future Land Use Map within Chapter 3 on September 24, 2012, May 20, 2013, and May 19, 2014. The Plan includes 9 Chapters reviewed against the Development Proposal as follows:
- *Chapter 1 – Issues and Opportunities:* For the last two decades, the Village has been able to exceed or stay consistent with the population growth rate for Dane County when comparing 1990, 2000, and 2010 Census data. This was achieved through robust housing growth during this same period, but has since become stagnant. The Overall Vision established within this Chapter stated that *“the Village desires a safe, clean, attractive and prosperous community that residents of all ages are proud to call home...Residents and visitors alike will be able to travel freely throughout the community by car, bike, or foot...Though ties with Madison will strengthen, the Village will retain its character and identity.”* The opportunity presented with this request for annexation allows the Village to address the issue of limited growth over the last decade.

- *Chapter 2 – Agricultural, Natural, and Cultural Resources:* The main goal of this section is to protect agricultural land within the Village’s planning area until such time that urban development is warranted. The annexation request for the property in question is adjacent to the Village and contiguous to Baer Park including necessary Village infrastructure. The project as proposed comes to the Village at a time it is experiencing record low vacancy rates for single family lots. The conversion of this property from agricultural use to residential will still provide adequate space for stormwater management, parklands, new public facilities, open space, conservancy, and trail development.
- *Chapter 3 – Land Use:* The property to be annexed is designated for growth as a planned residential neighborhood. The use of single family housing throughout was designed to maintain the consistency of the housing options due to single family lot availability being very low within the Village. The project is being designed to urban standards in order to enhance the provision of municipal services.
- *Chapter 4 – Transportation:* A traffic study for this development has not thus far been mandated. The addition of 43 single family homes and adjacent public improvements will continue to stress an already congested intersection of the north section of Military Road and County Highway P (Church Street). The Village is undertaking a traffic study in 2016 of the entire County Highway P corridor in 2016 to recommend options for incorporation into the design for the reconstruction of the highway in 2018 or 2019. The larger public improvement will enhance both ends of Military Road as it interacts with County Highway P in order to provide acceptable levels of ingress and egress as is desired. Only one access point is thus far planned for the Development; however, future development to the East will open up new possibilities as well as implementation of the Village’s plans for use of the property to be acquired for public facilities.
- *Chapter 5 – Utilities and Community Facilities:* The annexation as proposed will add parklands, public facilities, open space, conservancy property, and trail development to the Village. All of which is adjacent to existing Village property, transportation networks, and underground utilities that is consistent land use for this area of the Village. This project will expand the utility system by 43 homes as well as the network of roads. Transportation planning will also include road reconstruction for the end of Military Road with the extension of utilities to serve potential future developments.
- *Chapter 6 – Housing and Neighborhood Development:* The project as proposed is adjacent to existing Village developments that will allow for the expansion of the Urban Service Area. The area is also designated for growth within the Future Land Use Map and specifically for Single Family-Urban land uses. The project will make available new lots for construction and improve the housing stock within the Village.

Exhibit C lists a range of values from \$325,000 to \$435,000 per lot following development. Approximately 21.3% of our housing falls within the \$300,000 to \$499,000 range as determined by the US Census Bureau with a median housing value of \$236,800. Slightly over half of our housing values fall within the \$200,000 to \$299,000 range with the remainder of the housing stock falling under \$200,000 (27.7%). It is conceivable the lots within this proposed development could command the value projected by the Developer due to their size and location, and would be adding housing at the higher end of our range.

- *Chapter 7 – Economic Development:* The median household income for the Village is presently estimated at \$66,615 by the US Census Bureau. A majority of the population falls within the \$50,000-\$74,999 range at 26.3% and \$75,000 to \$99,000 range at 18.6%. The median income would likely rise within the Village due to the projected value of the homes to be built in the project. The Village remains a good place to live given its proximity to the greater Madison Region and the wide variety of employment that it offers in health care, professional offices, and higher education facilities. Village Employment opportunities are very similar to what they have been since the Comprehensive Plan was completed, which could be beneficial for the service industry that dominates the job market
- *Chapter 8 – Intergovernmental Cooperation:* Annexation of this property is being done so by the property owner of interest through unanimous consent meaning they are the only property being considered for inclusion within the Village. Given the property's location in relation to the rest of the Town, plans for the future use of this property appear consistent with moving the property into the Village as planned. The School District and other taxing jurisdictions will also benefit from the new property value and increase in population.
- *Chapter 9 – Implementation:* Annexation requests should follow the guidelines set forth in the Comprehensive Plan to extent possible as outlined in the preceding eight chapters. The annexation as proposed is consistent with the Future Land Use Map, utility system setup, and transportation layout for the community. Urban developments such as the one that is proposed are typically recommended for approval if they are found to be consistent with these elements of the Comprehensive Plan. The Plan Commission and Village Board shall consider these plan elements as part of its review to ensure service can be extended to the Development, the project is appropriately phased, the effect it has on intergovernmental relations, and other Statutory implications as applicable.

l) *Whether the annexation is reasonably suitable and acceptable to the Village's needs* – Figure 13 of Land Use Chapter 3 of the Comprehensive Plan (Exhibit H) states that Residential Single Family makes up 32.4% of our total land use in the Village which is more than double the next highest active land use category. The backbone of this community lies within its housing and having the availability to attract people to the high quality of life, good schools, and desirable amenities. This is evident in the building permit records from 2000-2005 when the Village was adding an average of 35 homes a year but has since declined to fewer than 4 per year between the years of 2006 through 2015. The decline in the early years can be attributed to the recession experienced beginning 2008 but most recently the lack of new permits is attributed to the limited availability of lots for development. During the last decade the Village has positioned itself well for growth with the reconstruction of the Wastewater Treatment Plant in 2008, reconstruction of Highway 14 in 2015, and continued delivery of good services. The Village will continue to improve itself going forward examining the expansion of the Zander Park Trail, reconstruction of County Highway P (Church Street), development of new public amenities as part of this Development, and other projects over the course of the next 5 years. The annexation is reasonably suitable to the Village in that it provides the availability for new single family development in the Village once again while also meeting our needs for growth.

m) *Whether the Village has present or future need to annex the property based on the following factors:*

- *The necessity of orderly development of the Village* – Opportunities for single family home construction are currently lacking. The dual phased approach to this Development appears consistent with the last pattern of significant growth experienced by the Village over a decade ago. Implementing the phases with available Village resources and proper expansion of services is key to the orderly development of this project.
- *The necessity to accommodate any increase in the Village population* – Population growth will be a given with this annexation as it will lead to an increase in housing units once complete. This will test various Village services from the EMS District responding to calls for service to the Polling Place(s) on Election Day. Careful planning regarding the expansion of Village services during the phasing in of development is necessary to the successful accommodation of a population increase. The Village currently has the core urban services in place common similar to many full service communities that will make this growth realistic as proposed.
- *The necessity to accommodate any increase in population and economic growth that has occurred outside of the Village boundaries in planned Village growth areas* – Dense growth as is proposed with this Development cannot happen in the Town. There is no expectation within the Town that there will be significant increases in population or economic activity regardless of this annexation. Regionally, however,

Dane County remains the fastest growing metropolitan area in the State for both population and economy, while the Village has remained stagnant for years. The annexation being contemplated fulfills a present need for growth more in line with what has been experienced within the region.

- *The need for additional areas within the Village to accommodate present or reasonably anticipated industrial, commercial, residential, or institutional growth –* The need for additional areas to accommodate residential growth is clearly demonstrated by the Village’s commitment to public improvements, stagnant building permits over the last decade, and the need now before us to make available new opportunities for single family home development. There are currently 15 vacant lots that could support new home construction which represents less than 1% of the total lots in the Village. Further, out of the 15 vacant lots there is only 1 currently listed for sale. The need to annex this property is present in order to provide additional areas for the Village to accommodate residential growth.
 - *The need to avoid potential detrimental effects to the Village if the property is developed outside of the Village –* There are several Town properties currently served by Village roads in order to access their properties. They have no dedicated access from the Township and are only useable due to the access provided by the Village. Allowing this property to develop outside of the Village will further expand this problem and create additional traffic issues within the Village at key intersections accessing this area whereby the Developer or the Town would not be obligated to share in the cost. Further, the opportunity would be lost for the Village to grow according to urban standards and instead would be boxed in by a development designed to rural standards. The present and future need for this annexation is to allow for orderly growth within the Village according to urban standards as has been completed successfully with similar projects.
- n) *Whether the annexation provides benefits to the property that can be realized only by annexation to the Village –* The financial gain for both the property tax base and utilities are present, but there are some additional benefits associated with this annexation.
- The acquisition by the Village of open space within the Development will allow for the continuity to be maintained with Baer Park and consistency with the adjacent Middle School. Enough space is provided to site a Village Hall with Police Department and Community Center plus a new swimming pool, two new baseball fields, sledding hills, general open space, and other park related amenities.
 - The trail system established on neighboring properties can be extended to this property opening new connection points to other properties within the Village.
 - Provides several acres of conservancy dedication adjacent to existing conservancy property that can be accessed through a new dedicated trail system.
 - Implementation of modern stormwater management techniques to help treat water better on site and limit run off.
 - Protect the hill top and wooded areas with overlay zoning requirements that are not required under current zoning in the township.

Next Steps

The Plan Commission is scheduled on January 4th to consider the Development Proposal including the Preliminary Procedures and review of the Annexation Factors in order to make a recommendation to the Village Board. The Village Board will consider the recommendation of the Plan Commission and take action on the Development Proposal following its review. Assuming the Development Proposal has been approved at this point, the Developer may file the annexation petition according to the plan outlined in the proposal. How the Developer files will depend on how the annexation ordinance gets drafted. The ordinance will include several contingencies before it can be made effective. This is outlined in Section 82.07 with the effectiveness of the ordinance being contingent upon final plat, development agreement, etc. all of which is to be designed according to the approved Development Proposal. All remaining steps including a proposed timeline are included as Exhibit I.

If the Development Proposal is not approved, then the process cannot move forward until it has been accepted by both the Plan Commission and Village Board. The review process to begin with the Plan Commission on January 4th and then the Village Board at a later date is key in making sure the Development Proposal is acceptable in order for it to move on to the next steps in the annexation process. Without acceptance, then the Development Proposal will have to be improved by the Developer based upon the direction provided by either the Plan Commission or Village Board.

Recommendation

Village Staff recommends the Plan Commission review the Preliminary Procedures prepared by the Developer, consider the Annexation Factors presented by Village Staff, and conduct its review accordingly in order to provide a recommendation to the Village Board regarding the Development Proposal as presented.

Exhibits

Exhibit A – Section 82.03(a) (State Statutes)

Exhibit B – Section 83.03(b) (Development Plan Required)

Exhibit C – Section 83.03(c) (Financial Analysis Report)

Exhibit D – Chapter 82 (Annexation) of Village Code of Ordinances

Exhibit E – Wisconsin State Statute 66.0217 (Annexation Initiated by Electors and Property Owners)

Exhibit F – Section 84.29 (SR-4) Single Family Residential

Exhibit G – Section 84.30 (SR-5) Single Family Residential

Exhibit H – Chapter 3 (Land Use) of the Comprehensive Plan

Exhibit I – Proposed Timeline for Development Project Review



VANDEWALLE & ASSOCIATES INC.

December 30, 2015

Matt Schuenke
Village of Cross Plains
2417 Brewery Road
Cross Plains, Wisconsin 53528-9471

Re: Buechner Property Annexation Request

Dear Matt:

Veridian Homes is requesting annexation of the Buechner Property through a petition for direct annexation by unanimous approval as defined in Section 66.0217 (2) of Wisconsin State Statutes. The process will require signatures on the petition from the property owners and electors. A copy of the petition will be filed with the Village of Cross Plains Clerk and Town of Cross Plains Clerk as required by statute. Notices as described in section 66.0217 (4) are not required for annexations that use the direct annexation procedure.

The property proposed for annexation is described as follows and per the attached annexation map:

Parcel Identification Number: 0707-022-9500-3
0707-022-9650-2

Address: 2504 Military Road

Legal Description: A parcel of land located in the NE1/4 and the SE1/4 of the NW1/4 of Section 2, T7N, R7E, Town of Cross Plains, Dane County, Wisconsin to-wit: Commencing at the North 1/4 of said Section 2; thence S00°47'23"W, 1286.65 feet along the North/South line of said Section 2 to the point of beginning; thence continuing S00°47'23"W, 1330.28 feet along said North/South line; thence N88°05'28"W, 1338.01 feet to a point on the East line of Lot 1, Certified Survey Map No. 3308; thence N01°00'47"E, 1327.28 feet along said East line and the Northerly extension thereof; thence S88°12'58"E, 1332.78 feet to the point of beginning. Subject to Military Road right-of-way. Containing 40.730 acres.

This letter is filed to comply with the requirements of the Village of Cross Plains Code Section 82.03 (a) and completes the Development Procedures sections A & B submittal components for the project.

We look forward to continuing working with the Village on the completion of the annexation, USA Amendment, and Development Plan approvals.

Sincerely,

A handwritten signature in black ink, appearing to be 'BM', with a long horizontal flourish extending to the right.

Brian Munson
Principal



VANDEWALLE & ASSOCIATES INC.

December 30, 2015

Matthew G. Schuenke
Village Administrator/Clerk-Treasurer
Village of Cross Plains
2417 Brewery Road
Cross Plains, Wisconsin 53528

Dear Matt:

Veridian Homes Design team, having worked closely with Village Staff, is excited to submit the following Draft Development Plan for the development of the Buechner Property. This unique public-private partnership seeks to create a new single family neighborhood and an exciting Municipal Center and Activity area.

We look forward to working with the Village Staff and Committees on the approval of this project. Please feel free to contact me if you have any questions or need additional information on the project.

Sincerely,

Brian Munson
Principal

Cc: Jeff Rosenberg, Veridian Homes
Dan Day, D'Onofrio Kottke

Development Plan

- 1) **An explanation of the reason for the proposed annexation.**
Annexation of the Buechner Property is being sought to facilitate the orderly development of the community through the addition of a single family neighborhood and public recreation/community facilities.
- 2) **A detailed description of any development that is intended to occur on the property subsequent to annexation.**
The Buechner Property is designed to incorporate 43 single family homes, 22.71 acres for public park/community facility uses, and street right of way, per the Village's Concept Plan for the property, see Exhibit A. The Development Plan reflects the Village Plan framework while incorporating additional acreage for stormwater management.
- 3) **A land use plan and transportation plan per DOT guidelines for the property subsequent to annexation.**
See attached Concept Plan, Exhibit A.
- 4) **A detailed description of the municipal services needed to serve the property subsequent to annexation and a proposal regarding how those services should be provided to the property.**
The proposed project will have full municipal services. Sanitary sewer and water main are located on the western edge of the property and require minor extensions to bring them to the property. See attached Utility Schematic, Exhibit C.
- 5) **Documentation satisfactory to the Village that the proposed annexation complies with the applicable state annexation statutes and that the appropriate procedural steps have been satisfied. For example, such documentation could include an affidavit of publication stating that the class 1 notice of intention to circulate petition has been published.**
The annexation petition will be completed using the direct annexation by unanimous approval as defined in Section 66.0217 (2) of Wisconsin State Statutes. The process will require signature on the petition from the property owners and electors. A copy of the petition will be filed with Village of Cross Plain Clerk and Town of Cross Plains Clerk as required by the statute. Notices as described in section 66.0217 (4) are not required for annexations that use the direct annexation procedure.

The attached draft annexation map, Exhibit B.
- 6) **Any proposed temporary or permanent zoning for the annexed property, and the reason for such proposed zoning.**
The development anticipates a rezoning of the property through a combination of the SR-4 and SR-5 single family districts.
- 7) **A proposed preliminary plat or concept plan, if the property is intended to be divided subsequent to annexation.**
See attached concept plan, Exhibit A.

8) Any other information reasonably required by the Village.

Urban Service Amendment

This parcel will require a minor amendment to the Urban Service Boundary, per the on-going discussions with the Village.

Village Facilities

The concept plan includes 22.71 acres of open space. Parkland Dedication for the development requires 4.76 acres (1.44 acres for active park purposes and 3.32 acres for conservancy purposes). The balance of the active use open space will be purchased by the Village at a price to be negotiated prior to finalization of the Development Plan. The excess conservancy open space will be gifted to the Village.

The concept plan also includes the extension of Military Road through the Village owned lands to the land retained by Veridian Homes. See attached Concept Road Cross Sections, exhibit D. The final design and reimbursement schedule will be negotiated prior to finalization of the Development Plans. The Village will assume the responsibility for all cost for the extension of Military Road from the western limit of the existing road to the western edge of the stormwater management basin east of the park area.

Regional Stormwater Management

The north western corner of the Buechner Parcel is adjacent to the end of the mapped flood plain in Baer Park. No mapped flood plains exist on the Buechner Parcel. We have completed an analysis of the drainage basin coming to Military Road just south of the Glacier Creek Middle School. This hydraulic analysis was completed using current flows provided in the flood plain study using HEC-RAS. The analysis has determined that 4 large horizontal elliptical culverts will be required on the extension of Military Road. There will also be some minor grading necessary on the School District lands to lower the profile of the water being backed up from the roadway crossing the drainage channel. In order to develop the public and private areas as proposed it will require discussions between the Village, School District and Plastic Ingenuity. The proposed solution will allow the 50 year storm event runoff to safely pass under the roadway.

Exhibit A

Cross Plains Wisconsin



SR-4 ZONING
 Total Lots: **21**
 (Minimum Lot Area 9,600 SF)
 21 Estate : (80x120)

SR-5 ZONING
 Total Lots: **22**
 (Minimum Lot Area 7,200 SF)
 10 Terrace : (63x115)
 12 Manor : (69x105)

Total Yield: **43**

REQUIRED PARKLAND DEDICATION

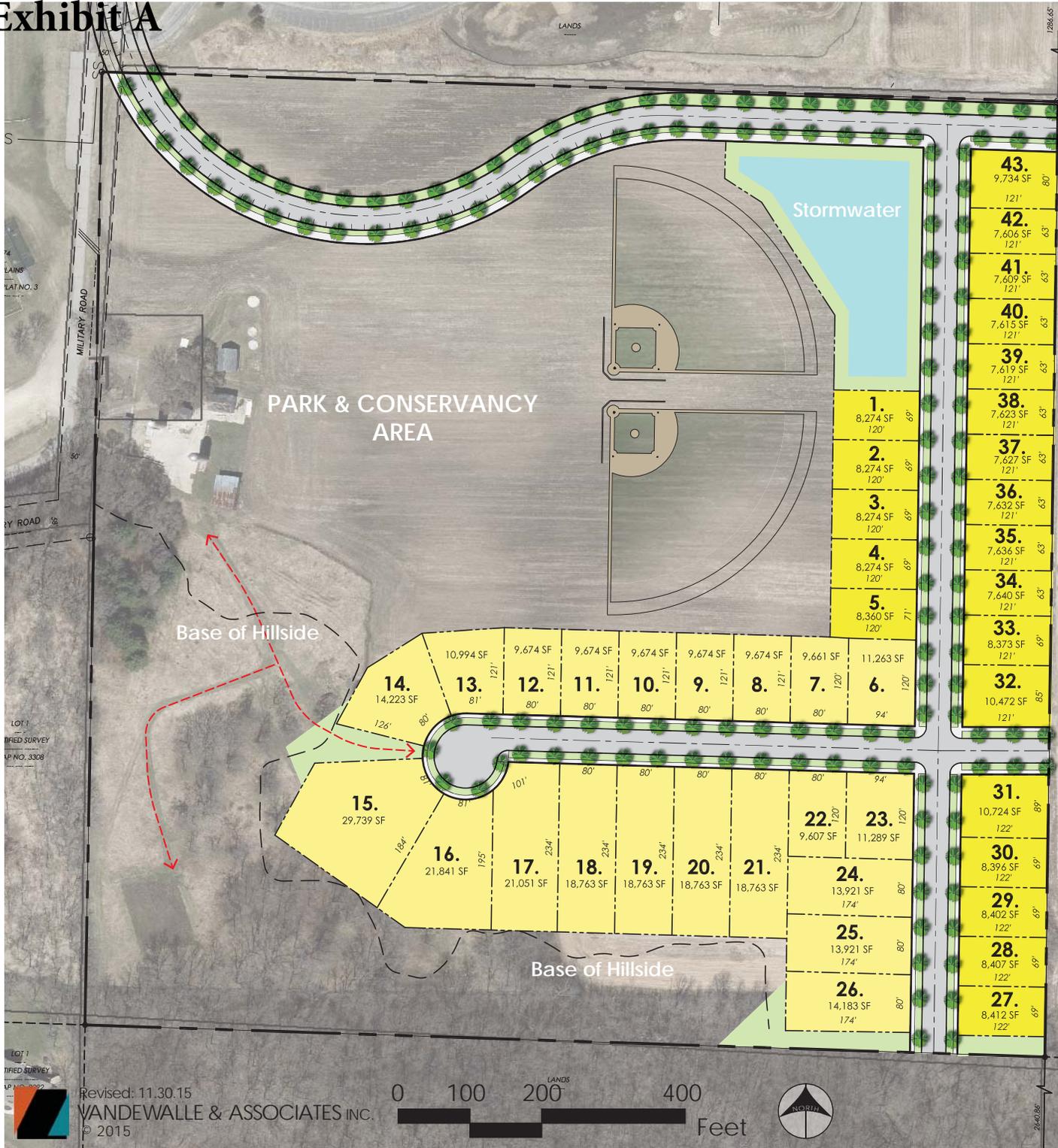
Area: **1.436 Acres**

REQUIRED CONSERVANCY DEDICATION

Area: **3.316 Acres**

BUECHNER PROPERTY

Development Plan



Revised: 11.30.15
 VANDEWALLE & ASSOCIATES INC.
 © 2015

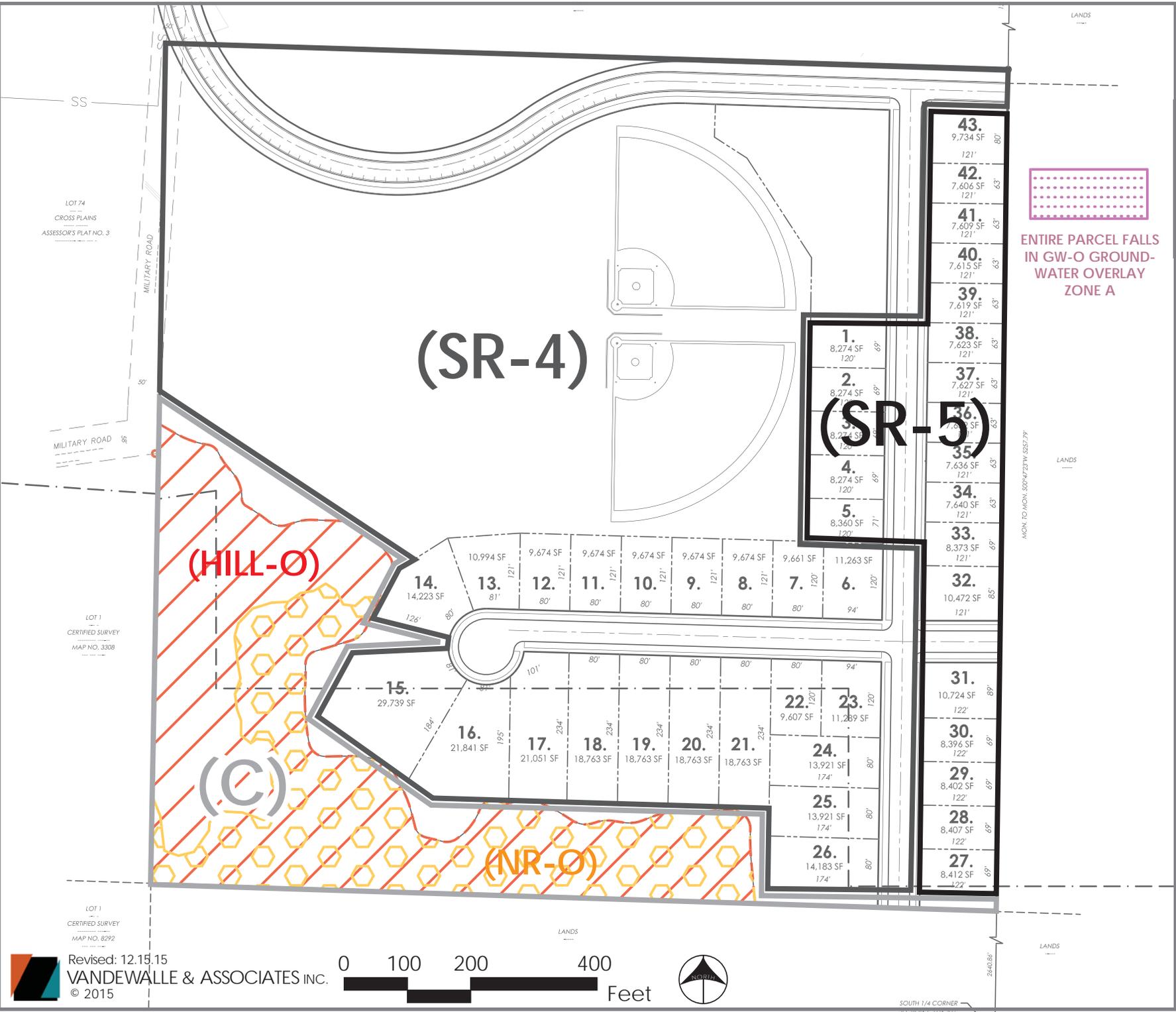


BUECHNER-PROPERTY

Zoning Map

ENTIRE PARCEL FALLS IN GW-O GROUND-WATER OVERLAY ZONE A

MON. TO MON. 508°42'31W 5527.7'



(SR-4)

(SR-5)

(HILL-O)

(C)

(NR-O)

LOT 74
CROSS PLAINS
ASSESSOR'S PLAT NO. 3

LOT 1
CERTIFIED SURVEY
MAP NO. 3308

LOT 1
CERTIFIED SURVEY
MAP NO. 8292



SOUTH 1/4 CORNER

Exhibit B

LANDS TO BE ANNEXED TO THE VILLAGE OF CROSS PLAINS

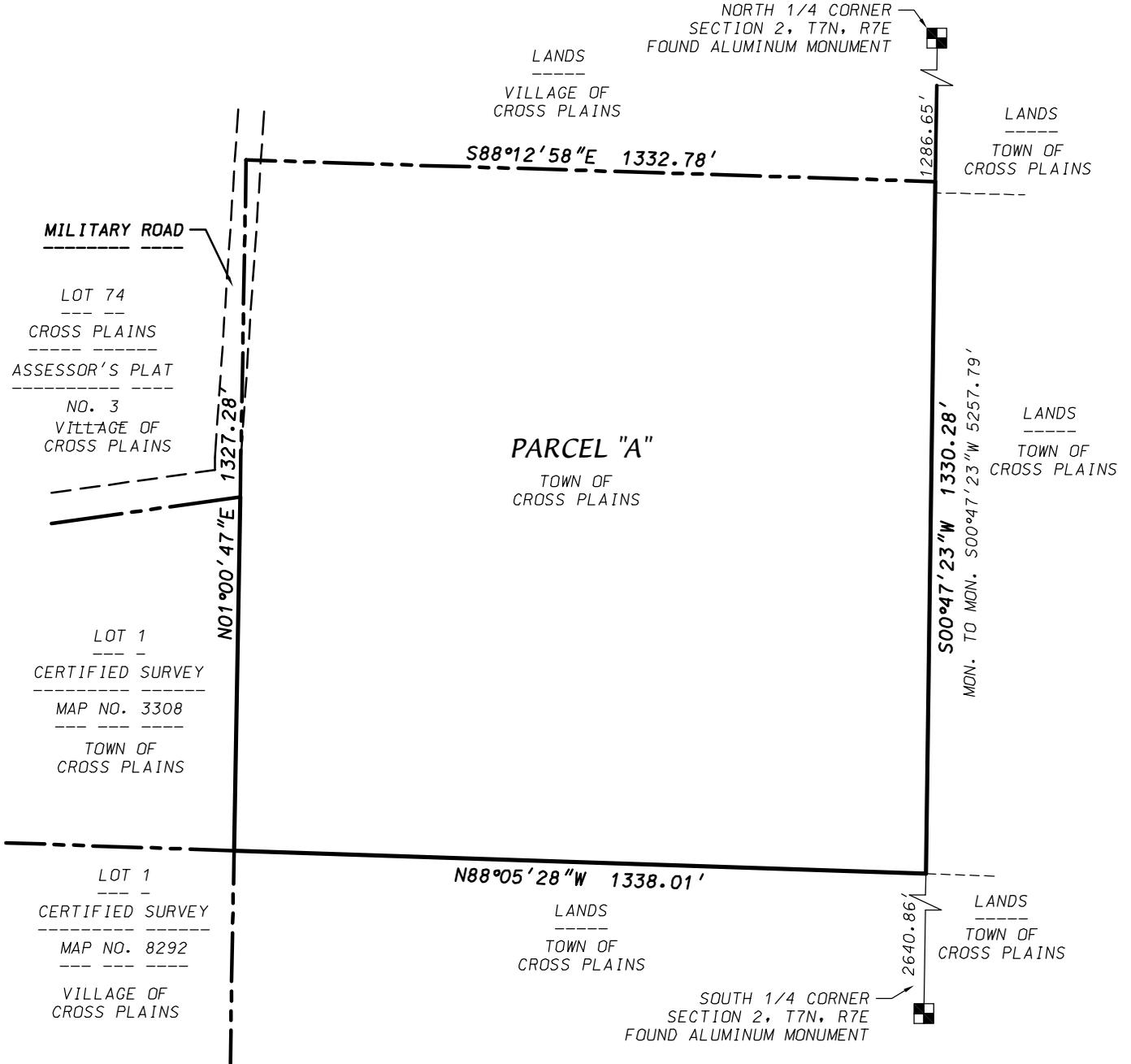
ENACTMENT NO. _____

AREA: 40.730 acres (0.0632 sq. mi.)

FILE ID NO. _____

DATE ADOPTED _____

DATE PUBLISHED _____



DRAFT



THE NORTH/SOUTH LINE
OF SECTION 2, T7N R7E
IS ASSUMED TO BEAR
 $S00^{\circ}47'23"W$

0 300
Scale 1" = 300'

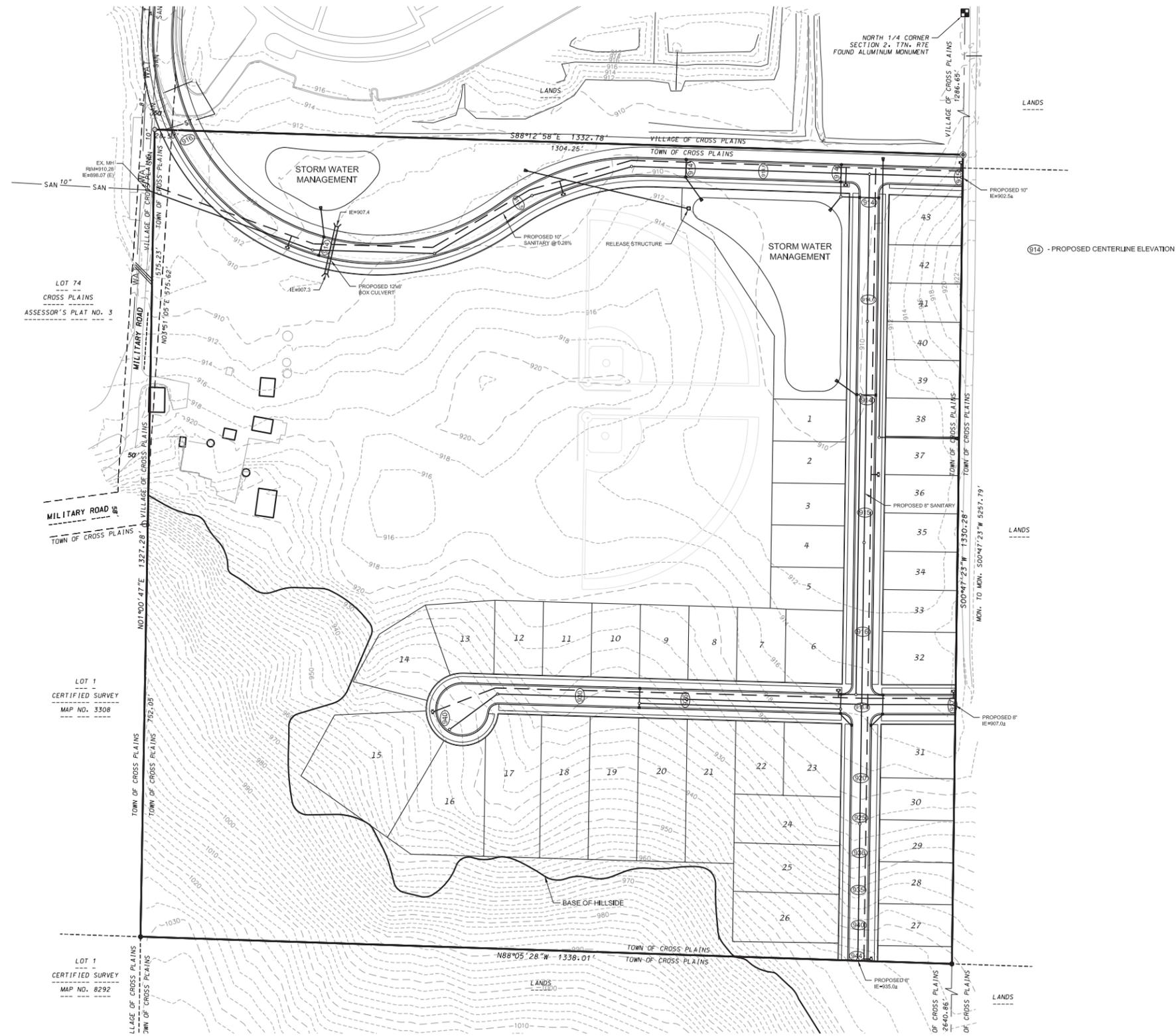
D'ONOFRIO KOTTKE AND ASSOCIATES, INC.

7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

DATE: October 8, 2015

F.N.: 15-07-123

Exhibit C



D'ONOFRI KOTTKE AND ASSOCIATES, INC.
 7550 Westward Way, Madison, WI 53717
 Phone: 608.833.7530 • Fax: 608.833.1089
 YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

UTILITY SCHEMATIC
BUECHNER PROPERTY
 TOWN OF CROSS PLAINS, DAHE COUNTY, WISCONSIN



SCALE: 1" = 100'
 (PAGE SIZE: 22x34)

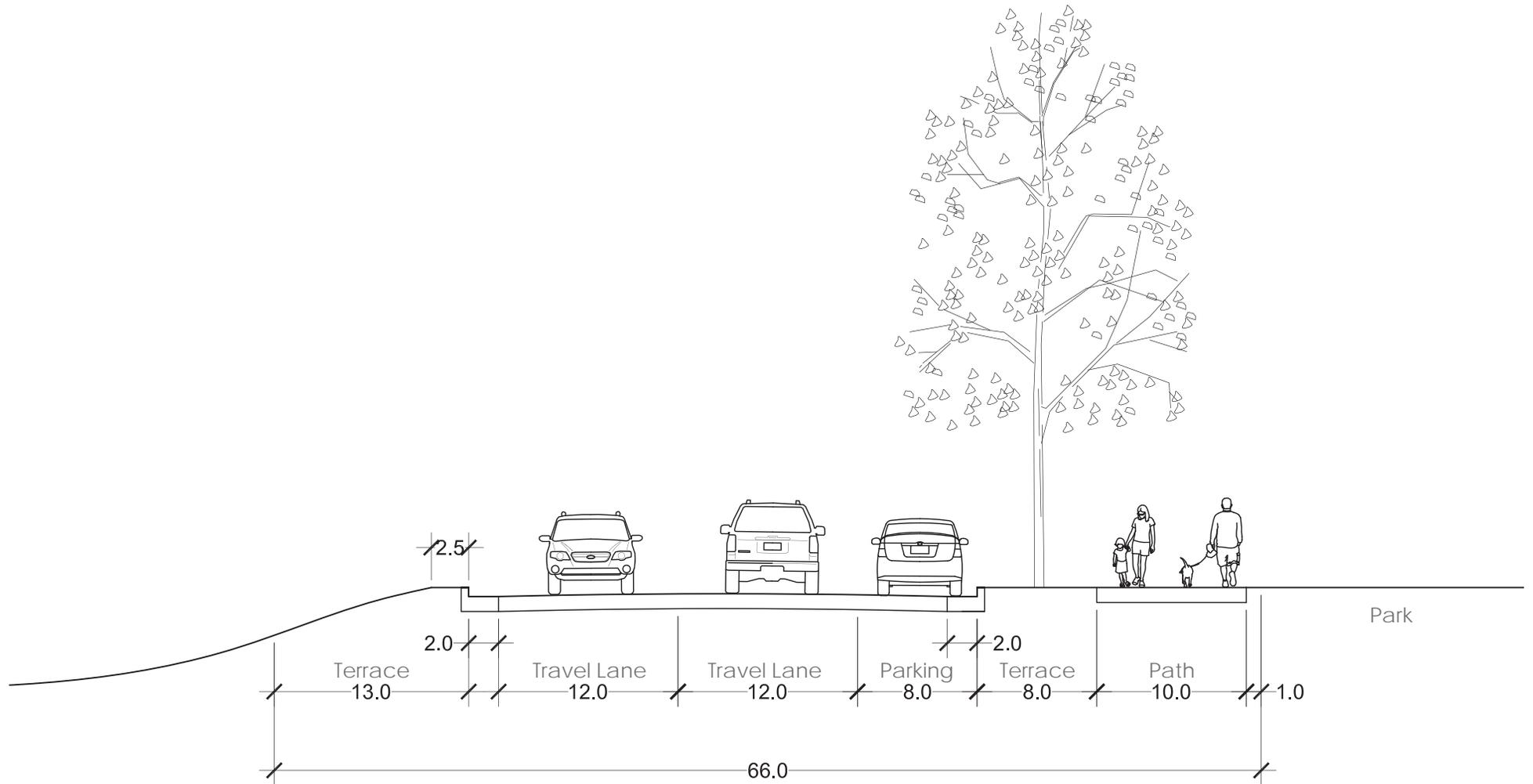
DATE: 11-30-15
 REVISED:

DRAWN BY: JMS
 FN: 15-04-110
 Sheet Number:
 1 of 1

Exhibit D

BUECHNER PROPERTY

Military Road Cross Section 1 (Along Park Frontage)

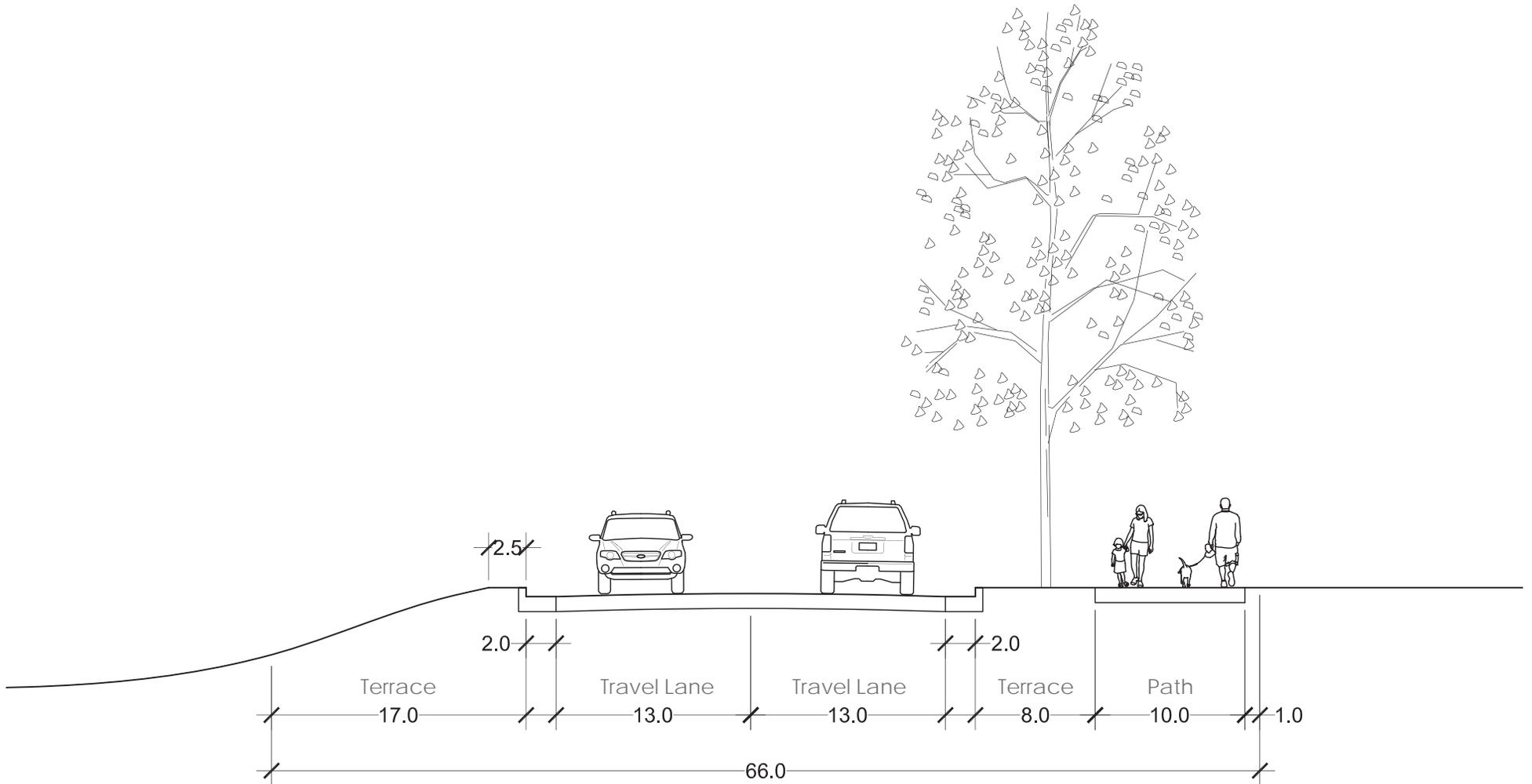


Note: Cross section illustrates general relationships of cross section elements, for discussion purposes only. Final engineered cross section will be developed as part of the roadway design.



BUECHNER PROPERTY

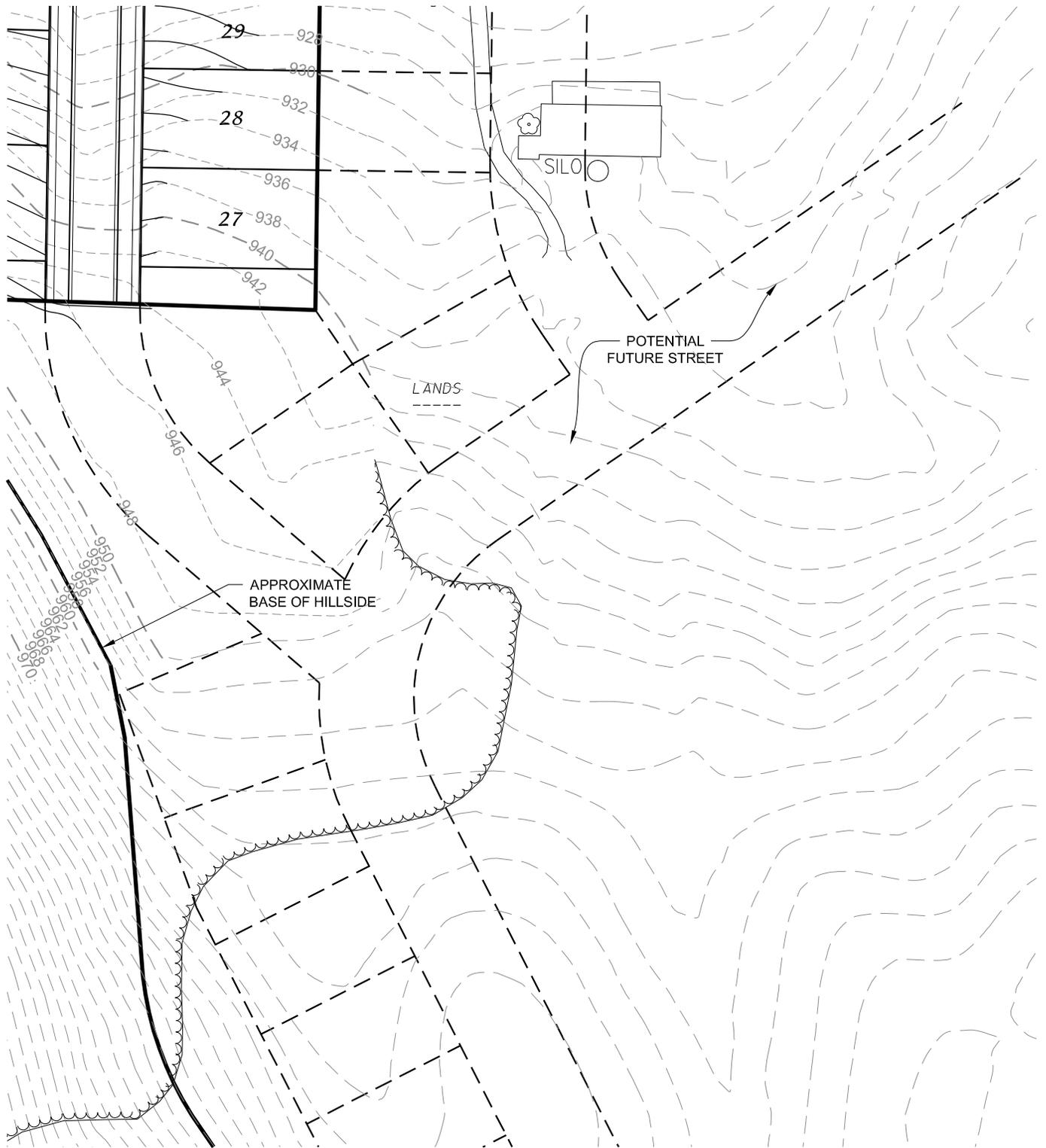
Military Road Cross Section 2 (Along Stormwater Frontage)



Note: Cross section illustrates general relationships of cross section elements, for discussion purposes only. Final engineered cross section will be developed as part of the roadway design.



Buechner - Southeast Street Connection



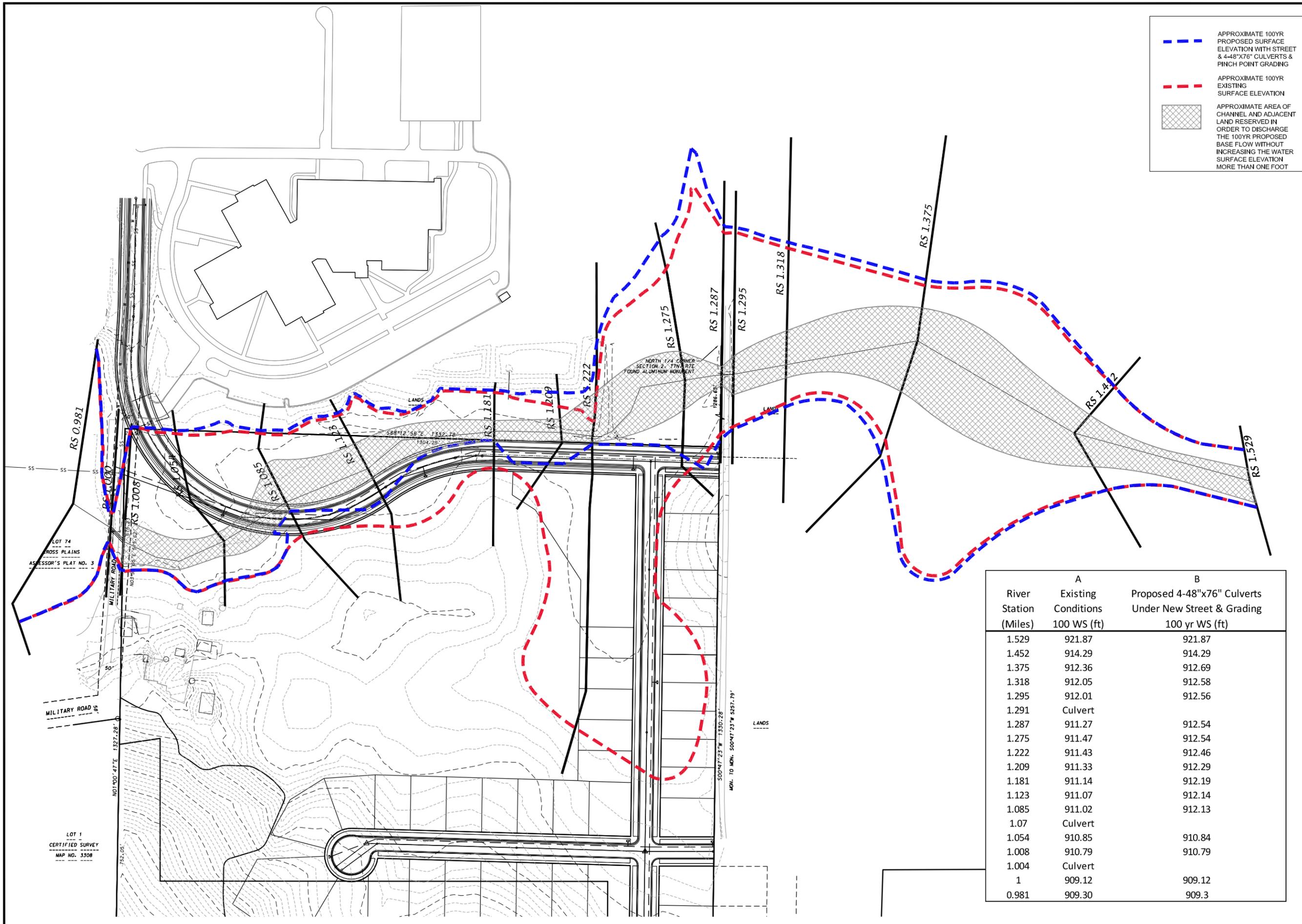
D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT




Scale 1" = 100'

DATE: 12-08-15
F.N.: 15-04-110
REV.

DRAWN BY:

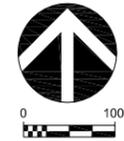


River Station (Miles)	A	B
	Existing Conditions 100 WS (ft)	Proposed 4-48"x76" Culverts Under New Street & Grading 100 yr WS (ft)
1.529	921.87	921.87
1.452	914.29	914.29
1.375	912.36	912.69
1.318	912.05	912.58
1.295	912.01	912.56
1.291	Culvert	
1.287	911.27	912.54
1.275	911.47	912.54
1.222	911.43	912.46
1.209	911.33	912.29
1.181	911.14	912.19
1.123	911.07	912.14
1.085	911.02	912.13
1.07	Culvert	
1.054	910.85	910.84
1.008	910.79	910.79
1.004	Culvert	
1	909.12	909.12
0.981	909.30	909.3

100YR WATER SURFACE STUDY

BUECHNER PROPERTY

VILLAGE OF CROSS PLAINS, DANE COUNTY, WISCONSIN



NOT FOR CONSTRUCTION

DATE: 12-16-2015

REVISED:

15-04-110

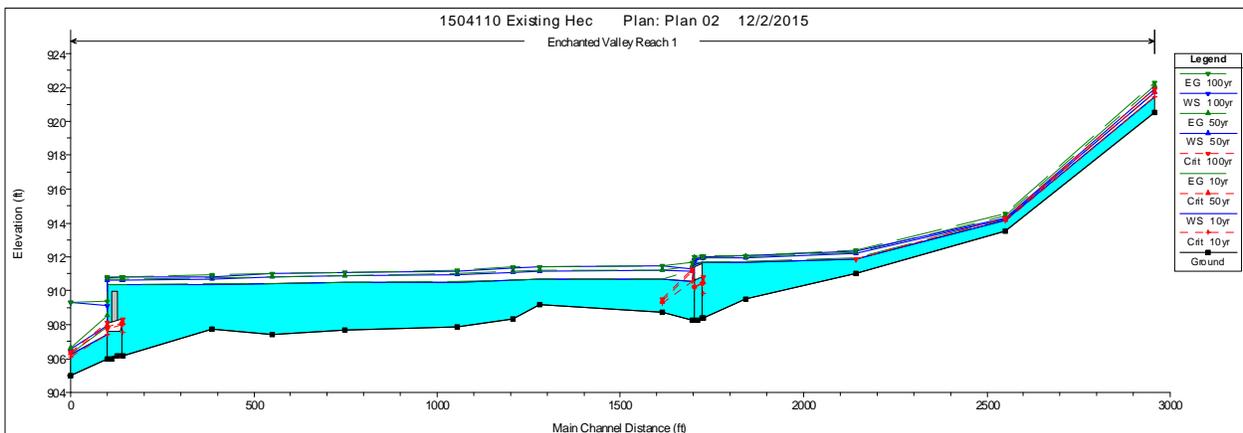
1 OF 1

D'ONOFRIOTTI AND ASSOCIATES, INC.
 7530 Westward Way, Madison, WI 53717
 Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

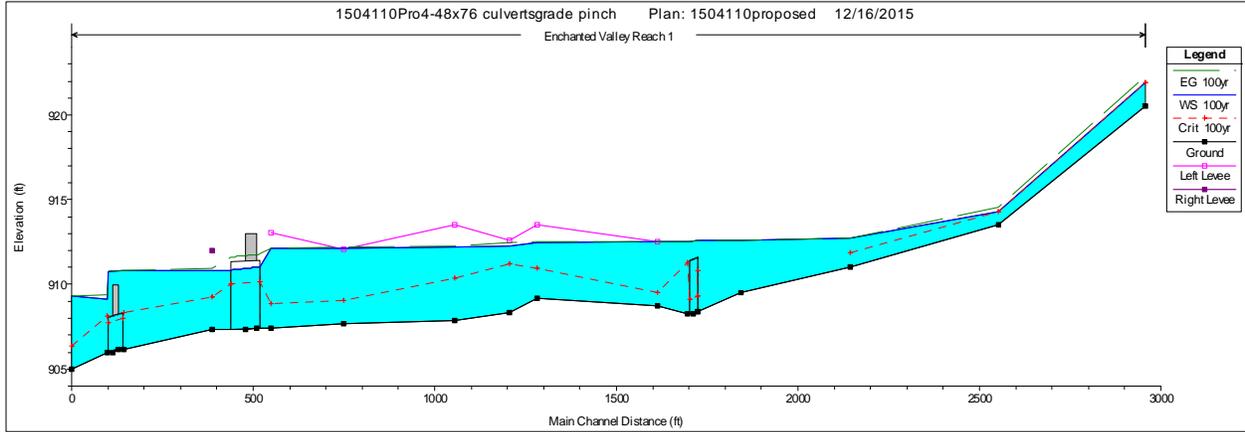
BUECHNER PROPERTY – WATER SURFACE STUDY PROFILES 12/16/15

	A	B
River	Existing	Proposed 4-48"x76" Culverts
Station	Conditions	Under New Street & Grading
(Miles)	100 WS (ft)	100 yr WS (ft)
1.529	921.87	921.87
1.452	914.29	914.29
1.375	912.36	912.69
1.318	912.05	912.58
1.295	912.01	912.56
1.291	Culvert	
1.287	911.27	912.54
1.275	911.47	912.54
1.222	911.43	912.46
1.209	911.33	912.29
1.181	911.14	912.19
1.123	911.07	912.14
1.085	911.02	912.13
1.07	Culvert	
1.054	910.85	910.84
1.008	910.79	910.79
1.004	Culvert	
1	909.12	909.12
0.981	909.30	909.3

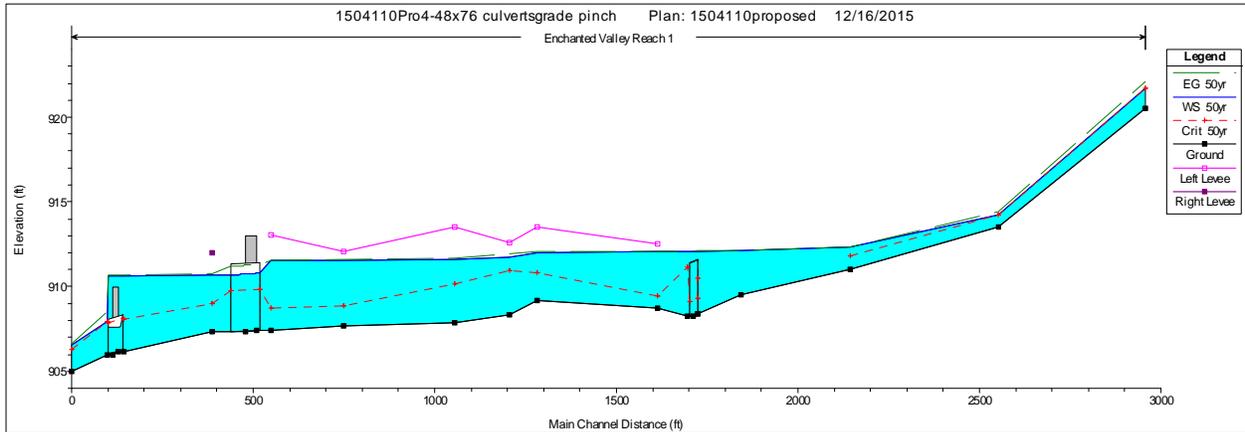
A -Existing Conditions



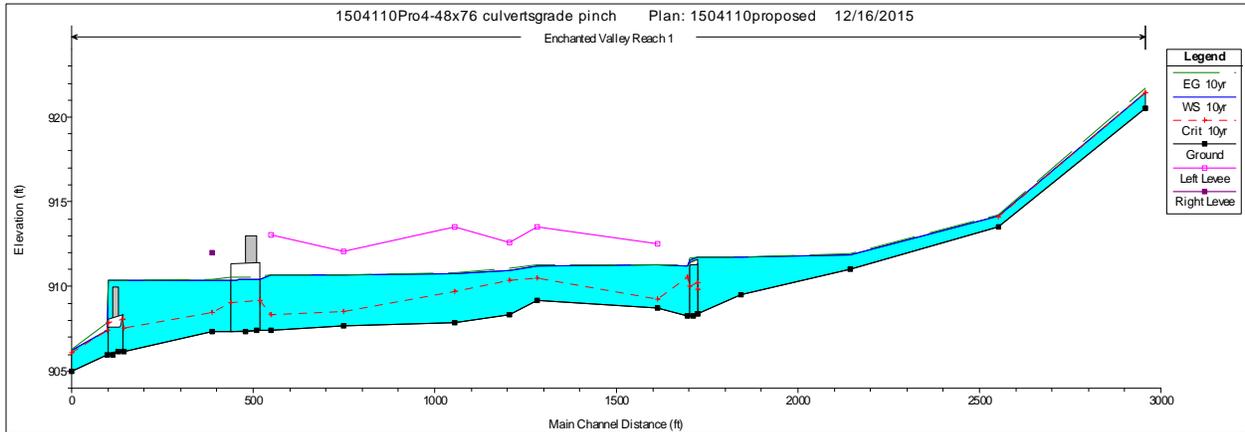
B - Proposed 1 – 4-48"x76" Culverts Under New Street & Grading(100yr Flow)



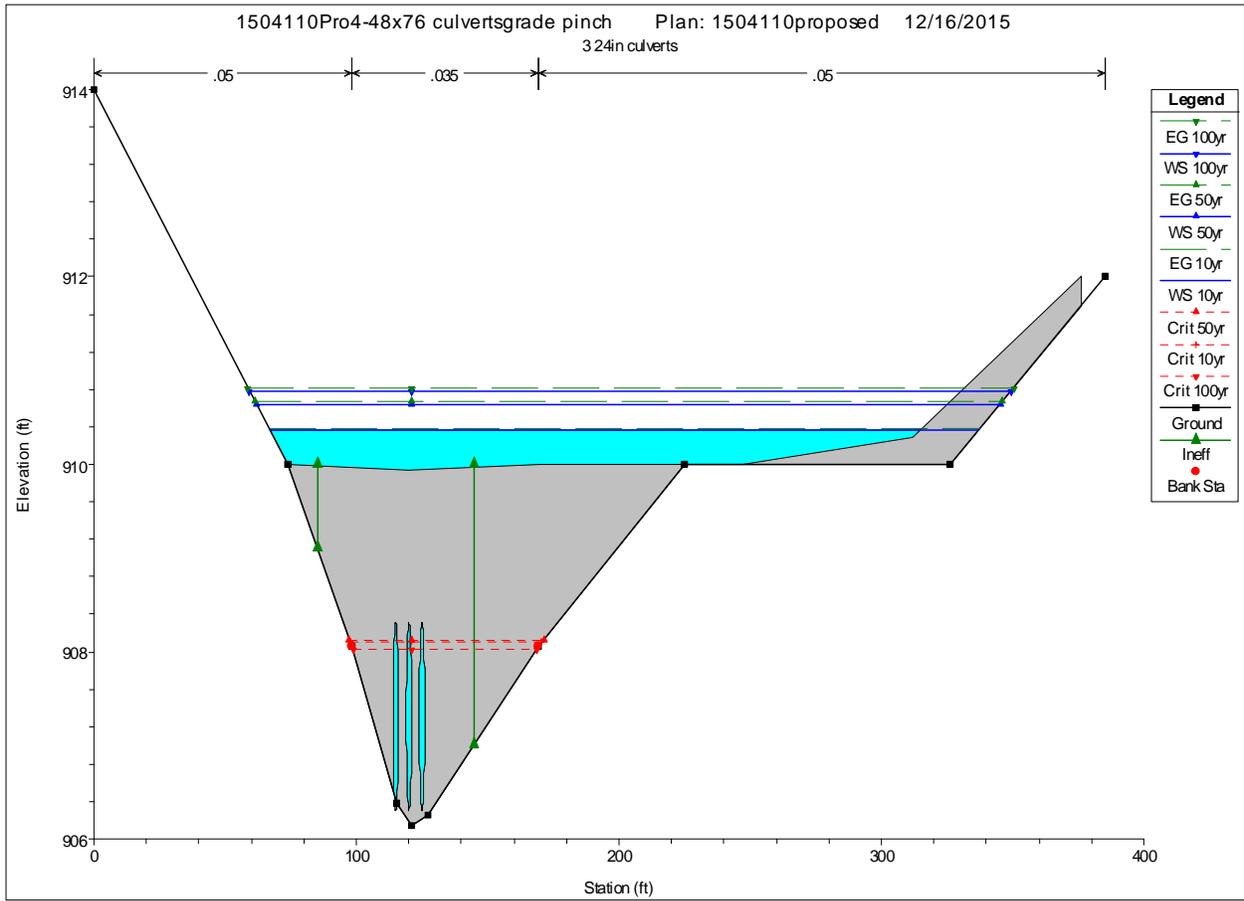
Proposed 1 – 4-48"x76" Culverts Under New Street & Grading (50yr Flow)



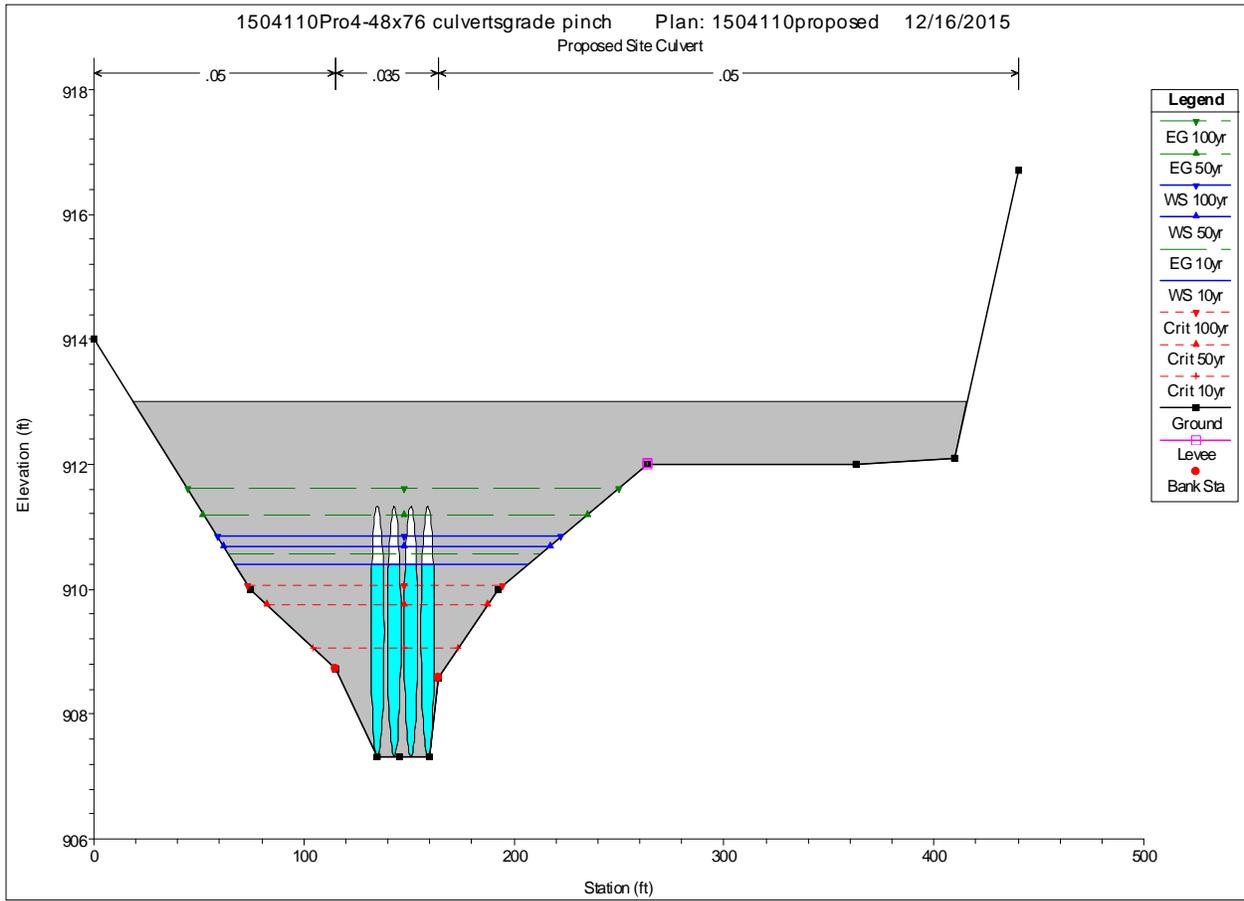
Proposed 1 – 4-48"x76" Culverts Under New Street & Grading (10yr Flow)



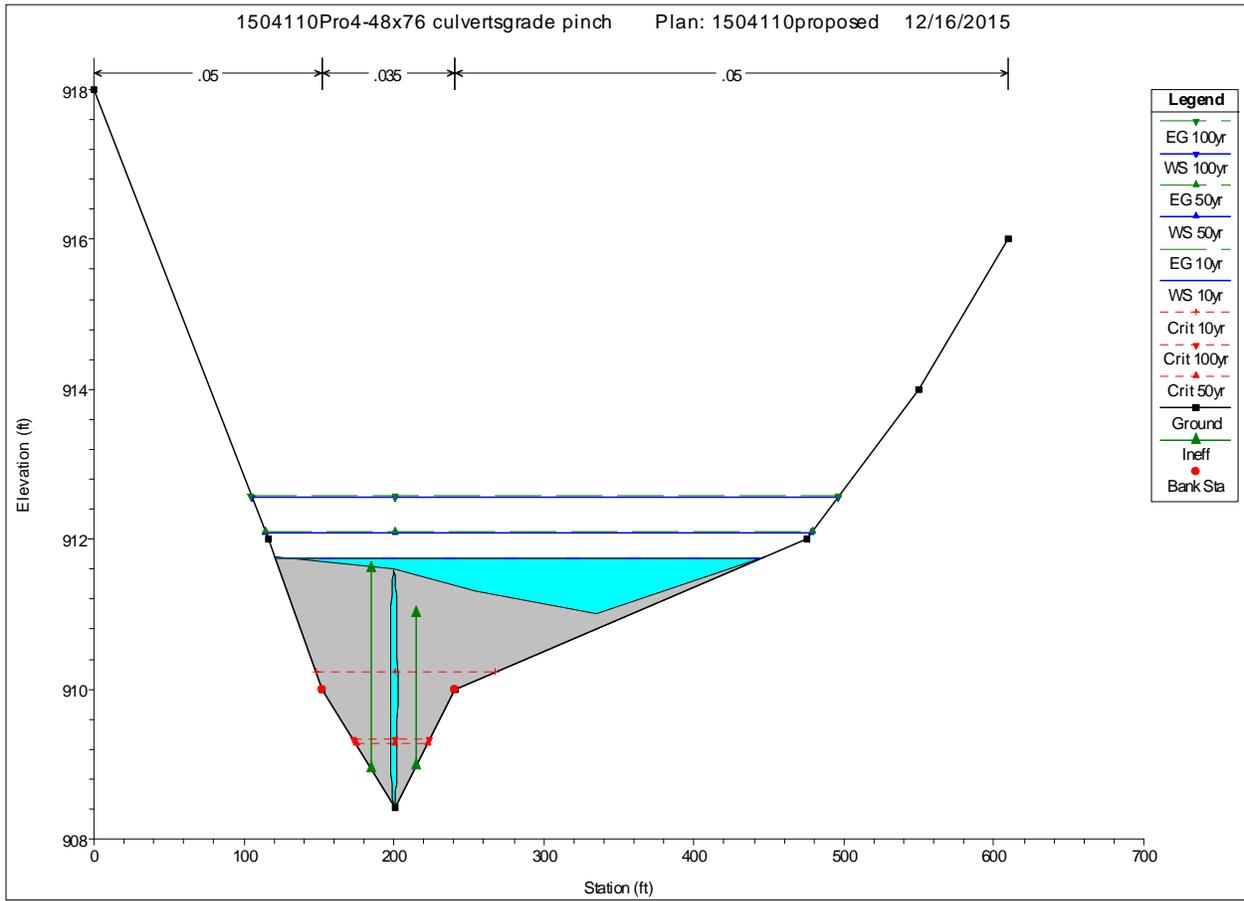
Existing Downstream 3-24" Culverts Under Military Road



Proposed 4-48"x76" Culverts Under Proposed Road



Existing Upstream Elliptical Pipe



Village of Cross Plains Veridian Buechner Development Annexation Financial Analysis Report 12-14-2015

Background

Veridian Homes is proposing to annex approximately 40 acres of land to the Village for the purposes of platting and building a 43 lot residential subdivision. The subject area is located off of Military Road on the west side of the Village, known locally as the Buechner property. Section 82.03(c) of the Village's Code of Ordinances requires completion of a financial analysis report at the time of a proposed annexation request addressing the impact the proposed annexation would have on Village revenues and the cost to provide municipal services to the property after annexation. More specifically the report shall include the following information:

1. An estimate of the Village revenue that would be derived from the property within the area proposed for annexation to the Village.
2. An estimate of the Village's cost to provide police, fire and emergency medical services to the annexed property after the property has been fully developed.
3. An estimate of the Village's cost to provide public works services and facilities to the annexed property after the property has been fully developed (such as street construction and maintenance, the construction and maintenance of storm water management facilities).
4. An estimate of the Village's cost to provide sanitary sewer and water service to the annexed property after the property has been fully developed.
5. An estimate of the Village's cost to provide library, park and recreational facilities and services to the annexed property after the property has been fully developed.
6. An estimate of the Village's cost to provide administrative services (such as services provided by the Village Administrator/Clerk-Treasurer, the Village Assessor, the Village Building Inspector, the Village Engineer, the Village Attorney) and facilities to the annexed property after the property has been annexed.
7. An estimate of the School District's costs to provide public school services and facilities to the annexed property after the property is fully developed.
8. Any other information reasonably required by the Village under Section 82.03(c) of the Village's Code of Ordinances.

The purpose of this report is to assist Village Staff and Officials in their review and approval of the proposed annexation request. The report in its self is not the determining factor to approve the annexation and development request.

Section 82.03(c)1, Estimated Revenue

The number of parcels and dwelling units were provided by Veridian Homes. There are 43 proposed single-family unit parcels totaling 11.21 acres and one 22.71 acre parcel planned for a Village park. The entire project site is 40.73 acres in size.

Table 1. Development Information	
Total Development Acreage	33.92
Number of Dwelling Units	43
Market Value/Dwelling Unit*	\$325-\$435K
Total Estimated Assessed Value	\$15,585,000
2015 Mill Rate**	\$ 21.88
Total Estimated Property Taxes	\$ 341,000
School District Share (56%)	\$ 189,630
Village Share (33%)	\$ 112,871
*Source: Developer	
**Tax Year 2015	

The estimated property tax revenue from the proposed development is \$341,000 at full buildout of the subdivision based on a total estimated assessed value of \$15,585,000. The development includes 21 lots zoned SR-4 ranging in size from 9,607 to 29,739 square foot lots with an estimated value of \$325,000 to \$435,000. The development includes another 22 lots zoned SR-5 ranging in size from 7,606 to 10,724 square foot lots with an estimated value of \$325,000 to \$395,000. The estimated values per residential lot exceeds the average median home value in Cross Plains (\$236,800, Source: 2009-2013 American Community Survey) and the average assessed value per residential lot (\$220,603, Source: DOR 2014 Statement of Assessments). However, this is expected given the differences in market value between new homes and the average value of existing older properties. The anticipated post-development assessment values of \$325,000-\$435,000 seem realistic based on a review of recent home sales of properties built within the last five years on similar lot sizes and within five miles of Cross Plains.

Veridian Homes is proposing to develop the subdivision in two phases. Phase 1 would include approximately 27 homes bordering the proposed north-south roadway. Phase 2 would include 16 homes along the east-west proposed cul-de-sac. Full build-out is anticipated in 2-4 years based on market conditions.

Table 2. Projected Tax Revenues for Proposed Development per Phase			
	Phase 1	Phase 2	Total
Market Value/Dwelling Unit	\$325-\$385K	\$325-\$435K	\$325-\$435K
Number of Units	27	16	\$ 43
Total Estimated Assessed Value	\$ 9,245,000	\$6,340,000	\$ 15,585,000
Total Estimated Property Taxes	\$ 202,281	\$ 138,719	\$ 341,000
School District Share	\$ 112,488	\$ 77,142	\$ 189,630
Village Share	\$ 66,955	\$ 45,916	\$ 112,871

The Village share of the estimated tax revenue from the proposed subdivision at the time of build out is **\$112,871**. This figure assumes the tax rate remains constant and zero inflation.

In addition, to property tax revenue the Village will also receive sewer and water revenue from each property. Residential sewer charges include a \$78.00 flat rate per quarter plus a variable rate of \$11.75 per 1,000 gallons used. The average consumption for a single family home of four is 12,000 gallons per quarter. Therefore, the average cost per home is approximately \$219 per quarter or \$876 per year for sewer service. Residential water charges include a \$21.75 flat rate per quarter, \$21.00 flat rate public fire charge per quarter, plus a variable rate of \$2.44 per 1,000 gallons used for water service. The average consumption for a single family home of four is 12,000 gallons per quarter. Therefore, the average cost per home is approximately \$72 per quarter or \$288 per year for water service.

	Phase 1	Phase 2	Total
Number of Dwelling Units	27	16	43
Village Annual Sewer Revenue	\$ 23,652	\$ 14,016	\$ 37,668
Village Annual Water Revenue	\$ 7,776	\$ 4,608	\$ 12,384
Village Annual Property Tax Revenue	\$ 66,955	\$ 45,916	\$ 112,871
Village Total Revenue	\$ 98,410	\$ 64,556	\$ 162,966

The Village share of the estimated annual tax and sewer revenue from the proposed subdivision at the time of build out is **\$162,966**. This figure assumes the tax rate remains constant, average sanitary sewer and water use, and zero inflation in tax, sewer, or water rates.

Section 82.03(c)2-7, Estimated Costs

Section 82.03(c)2-7 provides that estimates of a variety of public services costs shall be calculated based on the proposed annexation request. The estimated costs to provide services do not include initial public capital costs to construct the subdivision, just those estimated public costs once the property is fully developed. The following Village of Cross Plains 2016 Budget expenditures were used to determine a per parcel cost of the proposed development.

Table 4. 2016 Village Expenditures per Category and per Parcel		
Expenditure Category	2016 Budget	2016 Budget per Parcel
Public Safety		
Municipal Court	\$24,650	\$16.38
Police	\$519,250	\$345.02
Fire	\$83,000	\$55.15
EMS	\$48,500	\$32.23
Total	\$675,400	\$448.77
Public Works		
Public Facilities	\$379,250	\$251.99
Street Lighting	\$80,000	\$53.16
Refuse	\$164,000	\$108.97
Total	\$623,250	\$414.12
Utilities		
Sewer	\$1,388,750	\$922.76
Water	\$644,500	\$428.24
Total	\$2,033,250	\$1,351.00
Cultural Amenities		
Library	\$368,250	\$244.68
Park and recreational services	\$392,500	\$260.80
Total	\$760,750	\$505.48
Administrative Services		
Village Board	\$20,350	\$13.52
Village Administration	\$144,250	\$95.85
Personnel	\$61,750	\$41.03
Elections	\$4,250	\$2.82
Financial Management	\$13,750	\$9.14
Village Assessor	\$10,000	\$6.64
Insurance	\$57,750	\$38.37
General Buildings and Plant	\$35,250	\$23.42
Contingency	\$47,500	\$31.56
Building Inspection	\$16,750	\$11.13
Community Development	\$35,000	\$23.26
Transfers	\$0	\$0.00
Total	\$446,600	\$296.74
Other		
Debt Services	\$1,000,000	\$664.45
Total	\$1,000,000	\$664.45
VILLAGE TOTAL	\$5,539,250	\$3,680.56
	2015-2016	
Middleton-Cross Plains School District*	\$4,002,355	\$2,659.37
GRAND TOTAL	\$9,541,605	\$6,339.94

**portion of the school districts total levy allocated to Cross Plains, 2015-2016 Preliminary Budget*

The Village-wide average per parcel public service expenditures listed in Table 4 were used to determine a per parcel cost for the proposed development to provide the same services. Table 5 illustrates the per parcel (43 total) cost, by category at each phase of development and total when build out is achieved.

Expenditure Category	Phase 1	Phase 2	Total
Public Safety	\$ 12,117	\$ 7,180	\$ 19,297
Public Works	\$ 11,181	\$ 6,626	\$ 17,807
Utilities	\$ 36,477	\$ 21,616	\$ 58,093
Cultural Amenities	\$ 13,648	\$ 8,088	\$ 21,736
Administrative Services	\$ 8,012	\$ 4,748	\$ 12,760
Other	\$ 17,940	\$ 10,631	\$ 28,571
Village Total	\$ 99,375	\$ 58,889	\$ 158,264
Middleton-Cross Plains School District*	\$ 71,803	\$ 42,550	\$ 114,353
Combined Costs (Village + School District)	\$ 171,178	\$ 101,439	\$ 272,617
<i>*portion of the school district total levy allocated to Cross Plains</i>			

The total annual estimated cost of providing all services to the Village and School District once the property is fully developed is **\$272,617**. The Village share of the estimated costs to provide services to the proposed subdivision at the time of build out is **\$158,264**. This figure assumes that the costs to provide services to the development will equal the same per parcel cost to provide services to existing Village parcels in year 2015.

Financial Impact Summary

Based on the assumptions provided, the Village would net revenue of **\$4,659** annually from the proposed development, upon competition.

Table 6. Total Revenue and Expenditure Comparison			
	Phase 1	Phase 2	Total
Total Estimated Property Taxes	\$ 202,281	\$ 138,719	\$ 341,000
Village Expenditures	\$ 99,375	\$ 58,889	\$ 158,264
Middleton-Cross Plains School District Expenditures	\$ 71,803	\$ 42,550	\$ 114,353
Annual Net Revenue (Village + School District)	\$ 31,102	\$ 37,280	\$ 68,383
Village Property Tax Revenue	\$ 66,955	\$ 45,916	\$ 112,871
Village Utility Revenue	\$ 31,428	\$ 18,624	\$ 50,052
Village Annual Net Revenue	\$ (992)	\$ 5,651	\$ 4,659

Note the assumptions related to expenditures assume that both the Village and School District can provide services to the proposed development at the same per parcel cost as it took to provide similar services to existing properties in the Village in 2015. However, it should be noted that the analysis does not consider whether there will be additional costs beyond the average per parcel costs which would result from the additional 43 housing units. For example, would the additional development necessitate the purchase of an additional school bus and service route to serve the development? Likewise, would the additional development necessitate the need to add additional public works staff to plow the roadways in the winter, or the purchase of additional plow equipment? This analysis is also not meant to imply that the Village's or School District's actual budget will increase by the expenditure totals shown in the analysis. It is conceivable that some services may be able to be provided to the development without a significant increase in department budgets; thereby the new development may actually lower the per parcel costs to provide certain services in the community as the costs would be spread out over more parcels. In summary, at what point does new development necessitate additional capital expenditures, the hiring of additional public staff, or increases in department budgets to serve the development. Questions such as these are difficult to address within the framework of this analysis. In addition, it should be noted that future Village and School District budgets will determine how these specific distributed costs, and revenues, will be earmarked for the future.

Methodology

The cost of development was evaluated on a per parcel basis for the following reasons:

1. Chapter 82 Annexation, Section 82.03 Preliminary Procedures (c) Financial Analysis Report identifies language of estimation of cost to provide services to the “annexed property.”
2. All parcels were included in the evaluation. While Village owned parcels have no value and are thus tax exempt the Village still provides services to this parcels.
3. Per dwelling unit and per household metrics were considered but eliminated from consideration because they would have excluded non-residential properties which also make up part of the tax base for which the Village provides services.

The number of parcels within the Village of Cross Plains were clipped to the Municipal boundary in ArcGIS based on the parcel data we received from Dane County Land Information Office for the Village in March 2015. There are a total of 1,505 parcels within the Village Boundary.

Data Sources

Data collected and received to conduct this financial analysis is as follows:

1. Existing Parcels: CrossPlainsParcels.shp March 2015
2. Proposed Parcel Data: Use, Market Values, Concept Development, Phasing, received 11/30/2015 and 12/14/2015 by Vandewalle Associates Inc. and Veridian Homes.
3. Projected Costs: Village of Cross Plains 2016 Annual Budget (2016_Budget_-_Board_Approved_11.23.2015.pdf)
 - a. **Sewage Service:** 2016 Sewer Utility Operating Budget, Fund #670, Summary of Expenditures, (includes #51510, 51600, 53610, 53630, 57410, 58000, and 59200).
 - b. **Police:** 2016 General Fund Operating Budget, Summary of Expenditures Table, Expenditures item #52100, 2016 Budget.
 - c. **Fire:** 2016 General Fund Operating Budget, Summary of Expenditures Table, Expenditures item #52200, 2016 Budget.
 - d. **Emergency Medical Services:** 2016 General Fund Operating Budget, Summary of Expenditures Table, Expenditures item #52300, 2016 Budget.
 - e. **Water:** 2016 Water Utility Operating Budget, Fund #660, Summary of Expenditures (includes #51400, 51500, 53700, and 57000).

- f. **Library:** 2016 Annual Village of Cross Plains Fund Summaries, Fund #130 Library Fund, Total 2016 Budget Expense (includes #51430, 51600, 55110, 59200).
- g. **Parks and Recreation:** 2016 Annual Village of Cross Plains Fund Summaries, Fund #140 Parks/Rec Fund, Total 2016 Budget Expense (includes #51430, 54600, 55200, 55300, 55420, 59200).
- h. **Administrative:** General Fund Operating Budget, Index Expenditures Summary, Expenditures, 30, Total Personnel Services Expense, 2016 Budget **and** Contractual Services, item #208 Legal Fees and item #207 Support Services, 2016 Budget.
- i. **Middleton-Cross Plains School District:** (Village Levy Portion) Middleton-Cross Plains Area School District 2015 Annual Financial Report, 2015-2016 Preliminary Budget.

CHAPTER 82

ANNEXATION

- 82.01 Purpose**
- 82.02 Applicability**
- 82.03 Preliminary Procedures**
- 82.04 Annexation Factors**
- 82.05 Pre-annexation Agreement**
- 82.06 Reimbursement of Village Costs**
- 82.07 Adoption of Annexation Ordinance**
- 82.08 Variances and Waivers**

CHAPTER 82

ANNEXATION

SECTION 82.01 Purpose.

The purpose of this chapter is to establish a uniform and consistent annexation procedure for the mutual benefit of the Village and any party petitioning for annexation.

SECTION 82.02 Applicability.

This chapter shall apply to all annexations initiated after the effective date of this chapter.

SECTION 82.03 Preliminary Procedures.

Exhibit A



State Statutes. The statutory procedures for initiating and pursuing an annexation request with the Village shall be followed.

Exhibit B



Development Plan Required. At or before the time of presenting an annexation petition, the petitioner shall submit to the Village Administrator/Clerk-Treasurer a development plan for the entire area proposed for annexation. The development plan shall show the general layout and density of any proposed development, shall indicate the anticipated usage(s) of the land and the contemplated development schedule, and shall note what zoning will be requested to accommodate the proposed development. In lieu of submitting a development plan, the petitioner may proceed directly with the submittal of a preliminary plat or certified survey map as part of the annexation request. If the developer submits a development plan, the following information shall be provided:

- (1) An explanation of the reason for the proposed annexation.
- (2) A detailed description of any development that is intended to occur on the property subsequent to annexation.
- (3) A land use plan and transportation plan per DOT guidelines for the property subsequent to annexation.
- (4) A detailed description of the municipal services needed to serve the property subsequent to annexation and a proposal regarding how those services should be provided to the property.
- (5) Documentation satisfactory to the Village that the proposed annexation complies with the applicable state annexation statutes and that the appropriate procedural steps have been satisfied. For example, such documentation could include an affidavit of publication stating that the class 1 notice of intention to circulate petition has been published.
- (6) Any proposed temporary or permanent zoning for the annexed property, and the reason for such proposed zoning.
- (7) A proposed preliminary plat or concept plan, if the property is intended to be divided subsequent to annexation.



(8) Any other information reasonably required by the Village.

Financial Analysis Report. To help with the evaluation process, the Village Board shall require the preparation of a detailed financial analysis report addressing the impact the proposed annexation would have on Village revenues and the cost to provide municipal services to the property. The report shall be prepared by the Village with the help of the Village Engineer, Village Accountant and any other professional the Village Board deems appropriate. The annexation petitioner shall be responsible for reimbursing the Village of all costs associated with the preparation of the report. Such reimbursement should be addressed in the pre-annexation agreement. The report should include the following information:

- (1) An estimate of the Village revenue that would be derived from the property.
- (2) An estimate of the Village’s cost to provide police, fire and emergency medical services to the annexed property after the property has been fully developed.
- (3) An estimate of the Village’s cost to provide public works services and facilities to the annexed property after the property has been fully developed (such as street construction and maintenance, the construction and maintenance of storm water management facilities).
- (4) An estimate of the Village’s cost to provide sanitary sewer and water service to the annexed property after the property has been fully developed.
- (5) An estimate of the Village’s cost to provide library, park and recreational facilities and services to the annexed property after the property has been fully developed.
- (6) An estimate of the Village’s cost to provide administrative services (such as services provided by the Village Administrator/Clerk-Treasurer, the Village Assessor, the Village Building Inspector, the Village Engineer, the Village Attorney) and facilities to the annexed property after the property has been annexed.
- (7) As estimate of the School District’s costs to provide public school services and facilities to the annexed property after the property is fully developed.
- (8) Any other information reasonably required by the Village.

SECTION 82.04 Annexation Factors. In order to evaluate the impact of a proposed annexation on the Village, the Village may consider any factor it considers relevant including, but not limited to, the following factors:

See review of Annexation Factors within memorandum.

- (a) Whether the property is located within a Village urban service area.
- (b) Whether the property is located within a planned Village growth area as identified in a Village Land Use Map.

- (c) Whether the Village possesses adequate sanitary sewer capacity to serve the property once it is developed.
- (d) Whether the Village possesses adequate municipal water capacity to serve the property once it is developed.
- (e) Whether the Village possesses adequate police, fire, emergency medical, public works, and administrative services to serve the property once it is developed.
- (f) The cost of providing Village municipal services to the property once it is developed.
- (g) Whether it is desirable to extend Village municipal services to the property.
- (h) What impact the proposed annexation and development have on municipal services in the Village, and how the Village will provide such services to the property.
- (i) The amount of property tax and other Village revenue generated by the property once it is developed.
- (j) Whether any deficiency in the provision of municipal services can be addressed by the Village and petitioner through a pre-development agreement.
- (k) Whether the annexation is consistent with the goals, objectives, policies and recommendations of the current Village Master Plan.
- (l) Whether the annexation is reasonably suitable and acceptable to the Village's needs.
- (m) Whether the Village has a present or future need to annex the property based on the following factors:
 - (1) The necessity for orderly development of the Village.
 - (2) The necessity to accommodate any increase in the Village population.
 - (3) The necessity to accommodate any increase in population and economic growth that has occurred outside of the Village boundaries in planned Village growth areas.
 - (4) The need for additional areas within the Village to accommodate present or reasonably anticipated industrial, commercial, residential, or institutional growth.
 - (5) The need to avoid potential detrimental effects to the Village if the property is developed outside of the Village.
- (n) Whether the annexation provides benefits to the property that can be realized only by annexation to the Village.

SECTION 82.05 Pre-annexation Agreement.

- (a) **Pre-annexation Agreement Required.** The Village Board shall require that the petitioner(s) enter into a pre-annexation agreement before any annexation will be approved. The pre-annexation agreement shall delineate the respective

expectations, obligations and commitments made by each party as a part of the annexation process and contain any conditions of annexation.

- (b) **Conditions.** The conditions that may be placed upon the annexation as the Village Board deems necessary and appropriate include, but are not limited to, the following:
- (1) Village Board approval of certified survey map or preliminary plat for the lands proposed for annexation.
 - (2) Village Board approval of the requisite zoning.
 - (3) Payment, or satisfactory arrangements for payment to be made, of all fees deemed reasonable and just by the Village Board for the applicable annexation.
 - (4) Reimbursement of all annexation-related costs incurred by the Village as required by this chapter.
 - (5) Compliance with all applicable state laws and local ordinances and policies.
 - (6) Other terms or conditions the Village Board deems appropriate.

✓ **SECTION 82.06 Reimbursement of Village Costs.**

The petitioner(s) shall reimburse the Village for all engineering, consulting, and legal fees incurred by the Village in connection with the requested annexation.

SECTION 82.07 Adoption of Annexation Ordinance.

- (a) **Adoption of Ordinance With or Without Contingencies.** When the Village Board determines that an annexation should be approved in accordance with the statutes, it will proceed with adoption of an annexation ordinance with or without contingencies as appropriate.
- (b) **Effective Date of Annexation.** The annexation ordinance shall not be deemed unconditionally enacted until all contingencies imposed have been satisfied and the Village President and Administrator/Clerk-Treasurer sign the annexation ordinance. Accordingly, where contingencies are imposed as part of the annexation ordinance, the effective date of the annexation shall be the date the ordinance is signed.

Action on the DEVELOPMENT PROPOSAL will be the Village's Determination on the request for Annexation.

✓ **SECTION 82.08 Variances and Waivers.**

None

The Village Board may, in its discretion, grant a variance or waiver from the terms of this chapter if it determines that it would substantially impair the overall intent of this chapter and would be detrimental to the public good to enforce the terms of this chapter strictly. The granting of any such variance or waiver shall require a three-fourths affirmative vote

of the entire Village Board. A public hearing, preceded by a Class 2 notice, is required before any variance or waiver can be granted.

(8) EXISTING ORDINANCES. Ordinances in force in the territory or any part of the territory, to the extent not inconsistent with this section or ch. 61, continue in force until altered or repealed.

(9) EXISTING INTERGOVERNMENTAL AND COOPERATIVE BOUNDARY AGREEMENTS. Intergovernmental cooperation agreements entered into under s. 66.0301 and cooperative boundary agreements approved under s. 66.0307, to which a town incorporating under this section is a party, that are still in effect on the effective date of the incorporation, shall continue in force until altered or repealed, to the extent allowed under the agreements. When incorporated under this section, a village shall be considered the town's successor with respect to such agreements.

(10) INTERIM OFFICERS, FIRST VILLAGE ELECTION. Section 66.0215 (8) and (9), as it applies to a town that is incorporated as a city under s. 66.0215, applies to a town that is incorporated as a village under this section.

(11) SUNSET. This section does not apply after June 30, 2020.
History: 2015 a. 55.

66.0217 Annexation initiated by electors and property owners. (1) DEFINITIONS. In this section, unless the context clearly requires otherwise:

(a) "Assessed value" means the value for general tax purposes as shown on the tax roll for the year next preceding the filing of any petition for annexation.

(b) "Department" means the department of administration.

(c) "Legal description" means a complete description of land to be annexed without internal references to any other document, and shall be described in one of the following ways:

1. By metes and bounds commencing at a monument at the section or quarter section corner or at the end of a boundary line of a recorded private claim or federal reservation in which the annexed land is located and in one of the following ways:

- a. By government lot.
- b. By recorded private claim.
- c. By quarter section, section, township and range.

2. If the land is located in a recorded and filed subdivision or in an area subject to a certified survey map, by reference as described in s. 236.28 or s. 236.34 (3).

(d) "Owner" means the holder of record of an estate in possession in fee simple, or for life, in land or real property, or a vendee of record under a land contract for the sale of an estate in possession in fee simple or for life but does not include the vendor under a land contract. A tenant in common or joint tenant is an owner to the extent of his or her interest.

(e) "Petition" includes the original petition and any counterpart of the original petition.

(f) "Real property" means land and the improvements to the land.

(g) "Scale map" means a map that accurately reflects the legal description of the property to be annexed and the boundary of the annexing city or village, and that includes a graphic scale on the face of the map.

(2) DIRECT ANNEXATION BY UNANIMOUS APPROVAL. Except as provided in this subsection and sub. (14), and subject to ss. 66.0301 (6) (d) and 66.0307 (7), if a petition for direct annexation signed by all of the electors residing in the territory and the owners of all of the real property in the territory is filed with the city or village clerk, and with the town clerk of the town or towns in which the territory is located, together with a scale map and a legal description of the property to be annexed, an annexation ordinance for the annexation of the territory may be enacted by a two-thirds vote of the elected members of the governing body of the city or village without compliance with the notice requirements of sub. (4). In an annexation under this subsection, subject to sub. (6), the person filing the petition with the city or village clerk and the town clerk shall, within 5 days of the filing, mail a copy of the scale map and a legal description of the territory to be annexed to the department and the governing body shall review the advice of

the department, if any, before enacting the annexation ordinance. No territory may be annexed by a city or village under this subsection unless the territory to be annexed is contiguous to the annexing city or village.

(3) OTHER METHODS OF ANNEXATION. Subject to ss. 66.0301 (6) (d) and 66.0307 (7), and except as provided in sub. (14), territory contiguous to a city or village may be annexed to the city or village in the following ways:

(a) *Direct annexation by one-half approval.* A petition for direct annexation may be filed with the city or village clerk if it has been signed by either of the following:

1. A number of qualified electors residing in the territory subject to the proposed annexation equal to at least the majority of votes cast for governor in the territory at the last gubernatorial election, and either of the following:

- a. The owners of one-half of the land in area within the territory.
- b. The owners of one-half of the real property in assessed value within the territory.

2. If no electors reside in the territory subject to the proposed annexation, by either of the following:

- a. The owners of one-half of the land in area within the territory.
- b. The owners of one-half of the real property in assessed value within the territory.

(b) *Annexation by referendum.* A petition for a referendum on the question of annexation may be filed with the city or village clerk signed by a number of qualified electors residing in the territory equal to at least 20% of the votes cast for governor in the territory at the last gubernatorial election, and the owners of at least 50% of the real property either in area or assessed value. The petition shall conform to the requirements of s. 8.40.

(4) NOTICE OF PROPOSED ANNEXATION. (a) An annexation under sub. (3) shall be initiated by publishing in the territory proposed for annexation a class 1 notice, under ch. 985, of intention to circulate an annexation petition. The notice shall contain:

1. A statement of intention to circulate an annexation petition.
2. A legal description of the territory proposed to be annexed and a copy of a scale map.
3. The name of the city or village to which the annexation is proposed.
4. The name of the town or towns from which the territory is proposed to be detached.
5. The name and post-office address of the person causing the notice to be published who shall be an elector or owner in the area proposed to be annexed.
6. A statement that a copy of the scale map may be inspected at the office of the town clerk for the territory proposed to be annexed and the office of the city or village clerk for the city or village to which the territory is proposed to be annexed.

(b) The person who has the notice published shall serve a copy of the notice, within 5 days after its publication, upon the clerk of each municipality affected, upon the clerk of each school district affected and upon each owner of land in a town if that land will be in a city or village after the annexation. Service may be either by personal service or by certified mail with return receipt requested. If required under sub. (6) (a), a copy of the notice shall be mailed to the department as provided in that paragraph.

(5) ANNEXATION PETITION. (a) An annexation petition under this section shall state the purpose of the petition, contain a legal description of the territory proposed to be annexed and have attached a scale map. The petition shall also specify the population of the territory. In this paragraph, "population" means the population of the territory as shown by the last federal census, by any subsequent population estimate certified as acceptable by the department or by an actual count certified as acceptable by the department.

(b) No person who has signed a petition may withdraw his or her name from the petition. No additional signatures may be added after a petition is filed.

(c) The circulation of the petition shall commence not less than 10 days nor more than 20 days after the date of publication of the notice of intention to circulate. The annexation petition is void unless filed within 6 months of the date of publication of the notice.

(6) DEPARTMENT REVIEW OF ANNEXATIONS. (a) *Annexations within populous counties.* No annexation proceeding within a county having a population of 50,000 or more is valid unless the person publishing a notice of annexation under sub. (4) mails a copy of the notice to the clerk of each municipality affected and the department, together with any fee imposed under s. 16.53 (14), within 5 days of the publication. The department shall within 20 days after receipt of the notice mail to the clerk of the town within which the territory lies and to the clerk of the proposed annexing village or city a notice that states whether in its opinion the annexation is in the public interest or is against the public interest and that advises the clerks of the reasons the annexation is in or against the public interest as defined in par. (c). The annexing municipality shall review the advice before final action is taken.

(b) *Alternative dispute resolution.* The department shall make available on its public Web site a list of persons who identify themselves to the department as professionals qualified to facilitate alternative dispute resolution of annexation, boundary, and land use disputes. Persons identifying themselves to the department as qualified professionals shall submit to the department a brief description of their qualifications, including membership in relevant professional associations and certifications in areas such as planning and alternative dispute resolution. The department may edit the descriptions for inclusion on the list using any criteria that, in the department's determination, is appropriate. The department may include with the list a disclaimer that the department is not responsible for the accuracy of the descriptions, and that inclusion of a person on the list does not represent endorsement by the department. The department may include links from the list to other websites, such as those of relevant professional associations and county dispute resolution centers.

(c) *Definition of public interest.* For purposes of this subsection "public interest" is determined by the department after consideration of the following:

1. Whether the governmental services, including zoning, to be supplied to the territory could clearly be better supplied by the town or by some other village or city whose boundaries are contiguous to the territory proposed for annexation which files with the circuit court a certified copy of a resolution adopted by a two-thirds vote of the elected members of the governing body indicating a willingness to annex the territory upon receiving an otherwise valid petition for the annexation of the territory.

2. The shape of the proposed annexation and the homogeneity of the territory with the annexing village or city and any other contiguous village or city.

(d) *Direct annexation by unanimous approval.* 1. Upon the request of the town affected by the annexation, the department shall review an annexation under sub. (2) to determine whether the annexation violates any of the following, provided that the town submits its request to the department within 30 days of the enactment of the annexation ordinance:

a. The requirement under sub. (2) regarding the contiguity of the territory to be annexed with the annexing city or village.

b. The requirement under sub. (14) (b).

2. Following its review, and within 20 days of receiving the town's request, the department shall send a copy of its findings to any affected landowner, the town affected by the annexation, and the annexing city or village. If the department does not complete its review and send a copy of its findings within 20 days of receiving the town's request, the effect on the town and the annexing city or village shall be the same as if the department found no violation

of the requirements specified in subd. 1. If the department finds that an annexation violates any requirement specified in subd. 1., the town from which territory is annexed may, within 45 days of its receipt of the department's findings, challenge the annexation in circuit court.

3. If the town commences an action to challenge the annexation and the circuit court rules against the town, the town shall pay the court costs and the city's or village's reasonable attorney fees incurred in defending the annexation. If the town commences an action to challenge the annexation and the circuit court rules in the town's favor and upholds the town's challenge, the city or village shall pay the court costs and the town's reasonable attorney fees incurred in challenging the annexation.

(7) REFERENDUM. (a) *Notice.* 1. Within 60 days after the filing of the petition under sub. (3), the common council or village board may accept or reject the petition and if rejected no further action may be taken on the petition. Acceptance may consist of adoption of an annexation ordinance. Failure to reject the petition obligates the city or village to pay the cost of any referendum favorable to annexation.

2. If the petition is not rejected the clerk of the city or village with whom the annexation petition is filed shall give written notice of the petition by personal service or registered mail with return receipt requested to the clerk of any town from which territory is proposed to be detached and shall give like notice to any person who files a written request with the clerk. The notice shall indicate whether the petition is for direct annexation or whether it requests a referendum on the question of annexation.

3. If the notice indicates that the petition is for a referendum on the question of annexation, the clerk of the city or village shall file the notice as provided in s. 8.37. If the notice indicates that the petition is for a referendum on the question of annexation, the town clerk shall give notice as provided in par. (c) of a referendum of the electors residing in the area proposed for annexation to be held not less than 70 days nor more than 100 days after the date of personal service or mailing of the notice required under this paragraph. If the notice indicates that the petition is for direct annexation, no referendum shall be held unless within 30 days after the date of personal service or mailing of the notice required under this paragraph, a petition conforming to the requirements of s. 8.40 requesting a referendum is filed with the town clerk as provided in s. 8.37, signed by at least 20% of the electors residing in the area proposed to be annexed. If a petition requesting a referendum is filed, the clerk shall give notice as provided in par. (c) of a referendum of the electors residing in the area proposed for annexation to be held not less than 70 days nor more than 100 days after the receipt of the petition and shall mail a copy of the notice to the clerk of the city or village to which the annexation is proposed. The referendum shall be held at a convenient place within the town to be specified in the notice.

(b) *Clerk to act.* If more than one town is involved, the city or village clerk shall determine as nearly as is practicable which town contains the most electors in the area proposed to be annexed and shall indicate in the notice required under par. (a) that determination. The clerk of the town so designated shall perform the duties required under this subsection and the election shall be conducted in the town as are other elections.

(c) *Publication of notice.* The notice shall be published in a newspaper of general circulation in the area proposed to be annexed on the publication day next preceding the referendum election and one week prior to that publication.

(d) *How conducted.* The referendum shall be conducted by the town election officials but the town board may reduce the number of election officials for that election. The ballots shall contain the words "For annexation" and "Against annexation" and shall otherwise conform to the provisions of s. 5.64 (2). The election shall be conducted as are other town elections in accordance with chs. 6 and 7 to the extent applicable.

(e) *Canvass; statement to be filed.* The election inspectors shall make a statement of the holding of the election showing the whole number of votes cast, and the number cast for and against annexation, attach their affidavit to the statement and immediately file it in the office of the town clerk. They shall file a certified statement of the results in the office of the clerk of each other municipality affected.

(f) *Costs.* If the referendum is against annexation, the costs of the election shall be borne by the towns involved in the proportion that the number of electors of each town within the territory proposed to be annexed, voting in the referendum, bears to the total number of electors in that territory, voting in the referendum.

(g) *Effect.* If the result of the referendum is against annexation, all previous proceedings are nullified. If the result of the referendum is for annexation, failure of any town official to perform literally any duty required by this section does not invalidate the annexation.

(8) ANNEXATION ORDINANCE. (a) An ordinance for the annexation of the territory described in the annexation petition under sub. (3) may be enacted by a two-thirds vote of the elected members of the governing body not less than 20 days after the publication of the notice of intention to circulate the petition and not later than 120 days after the date of filing with the city or village clerk of the petition for annexation or of the referendum election if favorable to the annexation. If the annexation is subject to sub. (6) the governing body shall first review the reasons given by the department that the proposed annexation is against the public interest. An ordinance under this subsection may temporarily designate the classification of the annexed area for zoning purposes until the zoning ordinance is amended as prescribed in s. 62.23 (7) (d). Before introduction of an ordinance containing a temporary classification, the proposed classification shall be referred to and recommended by the plan commission. The authority to make a temporary classification is not effective when the county ordinance prevails during litigation as provided in s. 59.69 (7).

(b) The ordinance may annex the territory to an existing ward or may create an additional ward.

(c) The annexation is effective upon enactment of the annexation ordinance. The board of school directors in a 1st class city is not required to administer the schools in any territory annexed to the city until July 1 following the annexation.

(9) FILING REQUIREMENTS; SURVEYS. (a) The clerk of a city or village which has annexed territory shall file immediately with the secretary of administration a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The city or village shall also file with the county clerk or board of election commissioners the report required by s. 5.15 (4) (bg). The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district. Failure to file, record or send does not invalidate the annexation and the duty to file, record or send is a continuing one. The ordinance that is filed, recorded or sent shall describe the annexed territory and the associated population. The information filed with the secretary of administration shall be utilized in making recommendations for adjustments to entitlements under the federal revenue sharing program and distribution of funds under ch. 79. The clerk shall certify annually to the secretary of administration and record with the register of deeds a legal description of the total boundaries of the municipality as those boundaries existed on December 1, unless there has been no change in the 12 months preceding.

(b) Within 10 days of receipt of the ordinance, certificate and plat, the secretary of administration shall forward 2 copies of the ordinance, certificate and plat to the department of transportation, one copy to the department of administration, one copy to the department of revenue, one copy to the department of public instruction, one copy to the department, one copy to the depart-

ment of natural resources, one copy to the department of agriculture, trade and consumer protection and 2 copies to the clerk of the municipality from which the territory was annexed.

(c) Any city or village may direct a survey of its present boundaries to be made, and when properly attested the survey and plat may be filed in the office of the register of deeds in the county in which the city or village is located. Upon filing, the survey and plat are prima facie evidence of the facts set forth in the survey and plat.

(10) QUALIFICATIONS OF ELECTORS AND OWNERS; ELECTOR DETERMINATION. (a) Under this section, qualifications as to electors and owners shall be determined as of the date of filing a petition, except that all qualified electors residing in the territory proposed for annexation on the day of a referendum election may vote in the election. Residence and ownership shall be bona fide and not acquired for the purpose of defeating or invalidating the annexation proceedings.

(b) For purposes of this section, if a number of electors cannot be determined on the basis of reported election statistics, the number shall be determined in accordance with s. 60.74 (6).

(11) ACTION TO CONTEST ANNEXATION. (a) An action on any grounds, whether procedural or jurisdictional, to contest the validity of an annexation shall be commenced within the time after adoption of the annexation ordinance provided by s. 893.73 (2). During the action, the application of, and jurisdiction over, any county zoning in the area annexed is as provided under s. 59.69 (7).

(b) An action contesting an annexation shall be given preference in the circuit court. The court and the parties are encouraged to consider the application of s. 802.12 to an action contesting an annexation.

(c) Except as provided in sub. (6) (d) 2., no action on any grounds, whether procedural or jurisdictional, to contest the validity of an annexation under sub. (2), may be brought by any town.

(12) VALIDITY OF PLATS. If an annexation is declared invalid but before the declaration and subsequent to the annexation a plat is submitted and is approved as required in s. 236.10 (1) (a), the plat is validly approved despite the invalidity of the annexation.

(13) EFFECTIVE DATE OF ANNEXATIONS. Because the creation of congressional, legislative, supervisory and aldermanic districts of equal population is a matter of statewide concern, any annexation action that affects a tract of land that is the subject of an ordinance enacted or resolution adopted by any city during the period from January 1, 1990, to April 1, 1991, or any later date, expressing an intent to not exercise the city's authority to annex territory before April 1, 1991, or the specified later date, taken by a municipality during the period beginning on April 1 of the year commencing after each federal decennial census of population and ending on June 30 of the year commencing after that census, is effective on July 1 of the year commencing after that census or at such later date as may be specified in the annexation ordinance. This subsection first applies to annexations effective after March 31, 1991.

(14) LIMITATIONS ON ANNEXATION AUTHORITY. (a) 1. Except as provided in subd. 2., no territory may be annexed by a city or village under this section unless the city or village agrees to pay annually to the town, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under s. 70.65, in the year in which the annexation is final.

2. No payments under subd. 1. must be made if the city or village, and the town, enter into a boundary agreement under s. 66.0225, 66.0301, or 66.0307.

(b) No territory may be annexed by a city or village under this section if no part of the city or village is located in the same county as the territory that is subject to the proposed annexation unless the

town board adopts a resolution approving the proposed annexation.

(15) LAW APPLICABLE. Section 66.0203 (8) (c) applies to annexations under this section.

History: 1973 c. 37, 90, 143, 333; 1977 c. 29 ss. 698, 1654 (8) (c); 1977 c. 187 s. 134; 1977 c. 315, 447; 1979 c. 323; 1979 c. 361 s. 112; 1983 a. 29, 189, 219; 1985 a. 225; 1987 a. 391; 1989 a. 192; 1991 a. 5, 39, 269, 316; 1993 a. 16, 247, 301, 329, 491; 1995 a. 27 ss. 3308 to 3312, 9116 (5), 9145 (1); 1995 a. 201, 225; 1997 a. 27; 1999 a. 96; 1999 a. 150 ss. 44 to 47, 49 to 60, 63 to 65; Stats. 1999 s. 66.0217; 1999 a. 182 s. 197; 2001 a. 16, 30; 2003 a. 171, 317, 327; 2007 a. 43; 2009 a. 366; 2011 a. 75, 128; 2013 a. 80; 2015 a. 55.

Cross-reference: See s. 62.071 for special provision for annexations to cities of the first class.

In ascertaining whether a petition for annexation under sub. (2) (a) [now sub. (3) (a)] has been signed by the “owners of one-half of the land” in the proposed area of attachment, acreage within the territory constituting public streets and alleys is not to be taken into account in determining the sufficiency of the petition, no matter how owned or by whom. *International Paper Co. v. Fond du Lac*, 50 Wis. 2d 529, 184 N.W.2d 834 (1971).

An annexation ordinance is not void simply because it divides the town into 2 parts. *Town of Waukechon v. Shawano*, 53 Wis. 2d 593, 193 N.W.2d 661 (1972).

Although city limits did not extend the full width of a city-owned road, property on the other side was contiguous. When the boundaries of the parcel to be annexed were drawn by the petitioning landowners, the city could not be charged with arbitrary action. *Town of Lyons v. Lake Geneva*, 56 Wis. 2d 331, 202 N.W.2d 228 (1972).

When property owners, in petitioning for annexation, divide a tract so as to control one parcel by property owners and the other by population, the 2 resulting annexations are valid. *Town of Waukesha v. City of Waukesha*, 58 Wis. 2d 525, 206 N.W.2d 585 (1973).

Abundant benefits to the state from the annexation under review, including the provision of police, fire, and solid waste disposal services and library and recreational facilities satisfied the need factor of the rule of reason. Absent unfair inducement or pressures upon the petitioners for annexation, a showing of benefits to the annexed land can be considered on the question of need. *Town of Lafayette v. City of Chippewa Falls*, 70 Wis. 2d 610, 235 N.W.2d 435 (1975).

An eligible elector and a qualified elector are identical. Chapter 6 applies to annexation referendum elector qualifications under sub. (6) [now sub. (7)]. *Washington v. Altoona*, 73 Wis. 2d 250, 243 N.W.2d 404 (1976).

Direct annexation, not otherwise in conflict with the “rule of reason,” was not invalidated because the petitioners were motivated by the desire to obtain a change in zoning of their land. *Town of Pleasant Prairie v. City of Kenosha*, 75 Wis. 2d 322, 249 N.W.2d 581 (1977).

When an action challenging annexation was filed before the sub. (10) (a) [now sub. (11) (a)] limitation ran and the plaintiff town board had given no explicit authorization for commencement of an action, the subsequent attempt to ratify the commencement of the action was a nullity. *Town of Nasewaupsee v. City of Sturgeon Bay*, 77 Wis. 2d 110, 251 N.W.2d 845 (1977).

The sub. (5) (d) [now sub. (7) (d)] ballot language requirement is directory; substantial compliance is adequate. *Town of Nasewaupsee v. Sturgeon Bay*, 146 Wis. 2d 492, 431 N.W.2d 699 (Ct. App. 1988).

Under sub. (5) (g) [now sub. (7) (g)], annexation fails in cases of a tie vote. *Town of Nasewaupsee v. Sturgeon Bay*, 146 Wis. 2d 492, 431 N.W.2d 699 (Ct. App. 1988).

Under s. 893.73 (2) “adoption” refers to the legislative body’s action of voting to approve an annexation ordinance and the statute of limitations begins to run as of that date. *Town of Sheboygan v. City of Sheboygan*, 150 Wis. 2d 210, 441 N.W.2d 752 (Ct. App. 1989).

An annexation ordinance must meet “rule of reason” requirements. Application of the rule is discussed. *Town of Menasha v. City of Menasha*, 170 Wis. 2d 181, 488 N.W.2d 128 (Ct. App. 1992).

A city could not reach across a lake to annex noncontiguous property. *Town of Delavan v. City of Delavan*, 176 Wis. 2d 516, 500 N.W.2d 268 (1993).

The prohibition in sub. (4) [now sub. (5)] of the withdrawal of names from a petition prevents the withdrawal of the entire petition. *Town of De Pere v. City of De Pere*, 184 Wis. 2d 278, 516 N.W.2d 1 (Ct. App. 1994).

A town contesting an annexation under sub. (10) [now sub. (11)] is not required to file a notice of claim under s. 893.80 against the annexing municipality. *Town of Burke v. City of Madison*, 225 Wis. 2d 615, 593 N.W.2d 822 (Ct. App. 1999), 98–0108.

A petition under sub. (5) (a) must be circulated by a qualified elector residing within the territory to be annexed. *City of Chippewa Falls v. Town Of Hallie*, 231 Wis. 2d 85, 604 N.W.2d 300 (Ct. App. 1999), 99–0832.

There are 3 prongs to the rule of reason: 1) that no arbitrary exclusions or irregularities appear in boundary lines; 2) that a need exists for the property; and 3) that the municipality commits no other misuse of discretion in the process. When direct annexation is initiated by property owners, generally, the annexing municipality is not charged with arbitrary action in drawing boundaries and the courts must be responsive to the property owners’ desires. The need requirement serves the purpose of furthering the policy favoring orderly growth of urban areas by preventing irrational gobbling up of territory. *Town of Sugar Creek v. City of Elkhorn*, 231 Wis. 2d 473, 605 N.W.2d 274 (Ct. App. 1999), 98–2514.

Separation of lands by a river does not make them noncontiguous under this section. *Town of Campbell v. City of La Crosse*, 2001 WI App 201, 247 Wis. 2d 946, 634 N.W.2d 840, 00–1914.

A municipality may not repeal an annexing ordinance already in effect by enacting a correcting ordinance. *Town of Windsor v. Village of DeForest*, 2003 WI App 114, 265 Wis. 2d 591, 666 N.W.2d 31, 02–0281.

Under the rule of prior precedence, in case of conflict between competing annexations, or between an annexation and a proceeding for the incorporation of a city or village, the proceeding first instituted has precedence, and the later one must yield. Annexation proceedings did not lose priority status when the ordinances were deemed invalid and dismissed by the circuit court but subsequently vindicated on appeal. *Town of Campbell v. City of La Crosse*, 2003 WI App 139, 266 Wis. 2d 107, 667 N.W.2d 356, 02–1150.

Section 66.021 (10) (now sub. (11)) does not prohibit an amendment to the complaint after the 90 days for filing the original complaint has run. *Town of Campbell v. City of La Crosse*, 2003 WI App 247, 268 Wis. 2d 253, 673 N.W.2d 696, 02–2541.

If the petitioners for annexation are in need of services that the town cannot provide but the city can, the need factor under the rule of reason is met. When no need is shown by the property owners, the annexing municipality must have a reasonable present or demonstrable future need for a substantial portion of the annexed territory. Whether an annexation is in the interest of the public is not one of the factors in the rule of reason and is not for the courts to decide. Even if the state issues a letter under s. 66.021 (11) (now sub. (6)) that the annexation is in the public interest, the statute requires only that the city consider it. *Town of Campbell v. City of La Crosse*, 2003 WI App 247, 268 Wis. 2d 253, 673 N.W.2d 696, 02–2541.

A municipality is not required to enact a separate annexation ordinance for each of several parcels that are the subject of separate annexation petitions under sub. (2). *Town of Baraboo v. Village of West Baraboo*, 2005 WI App 96, 283 Wis. 2d 479, 699 N.W.2d 610, 04–0980.

Sub. (2), when read together and compared with the subs. (6) and (8), does not require the village to inform the department of its intention to annex less than all of the parcels originally proposed for annexation that were submitted for the department’s review. *Town of Baraboo v. Village of West Baraboo*, 2005 WI App 96, 283 Wis. 2d 479, 699 N.W.2d 610, 04–0980.

Although an annexation petition may not be withdrawn by a petitioner once it is filed, neither sub. (2) nor *De Pere* prohibits a municipality from declining to annex a given parcel for any reason, including a petitioner’s desire not to be annexed. *Town of Baraboo v. Village of West Baraboo*, 2005 WI App 96, 283 Wis. 2d 479, 699 N.W.2d 610, 04–0980.

In rule of reason cases, there is an exception to the general rule that a municipality may not be charged with any arbitrariness in the boundaries of an owner-petitioned annexation if the municipality can be shown to have been the real controlling influence in selecting the boundaries. Providing forms to prospective annexation petitioners, preparing maps and legal descriptions for the petitions, and providing other advice and technical assistance to petitioners does not render the municipality the controlling influence behind the annexation petitions nor does arranging an informational meeting of adjacent property owners only after several property owners in the area had contacted the municipality requesting information regarding a possible annexation. *Town of Baraboo v. Village of West Baraboo*, 2005 WI App 96, 283 Wis. 2d 479, 699 N.W.2d 610, 04–0980.

Sub. (11) (c) bars a town from contesting a direct annexation by unanimous approval under sub. (2). Under sub. (11) (c) an action to “contest the validity” of an annexation includes challenging an annexation as void. Barring such town actions does not render sub. (14) (b) 1. [now sub. (14) (b)] meaningless, as it still applies to annexations other than direct annexations by unanimous approval. While it may be true that towns may not use the threat of challenging the validity of an annexation to compel payments under sub. (14) (a) 1., that does not explain why a town could not use other means of compelling a village to pay the property tax set-off it owes the town. *Town of Merrimac v. Village of Merrimac*, 2008 WI App 98, 312 Wis. 2d 754, 753 N.W.2d 552, 07–2491.

Sub. (11) (c) is unambiguous. Adopting the town’s argument that before sub. (11) (c) can act to bar a town’s suit, the city must show that the annexation under sub. (2) was valid would render the phrase “no action on any grounds, whether procedural or jurisdictional, to contest the validity of an annexation under sub. (2), may be brought by any town” meaningless. *Darbois Joint Sanitary District No. 1 v. City of Kaukauna*, 2013 WI App 113, 350 Wis. 2d 435, 838 N.W.2d 103, 12–2639.

The legislature can constitutionally provide for the annexation of territory without a referendum. 60 Atty. Gen. 294.

The rule of reason in Wisconsin annexations. Knowles, 1972 WLR 1125.

66.0219 Annexation by referendum initiated by city or village. As a complete alternative to any other annexation procedure, and subject to sub. (10) and ss. 66.0301 (6) (d) and 66.0307 (7), unincorporated territory which contains electors and is contiguous to a city or village may be annexed to the city or village under this section. The definitions in s. 66.0217 (1) apply to this section.

(1) PROCEDURE FOR ANNEXATION. (a) The governing body of the city or village to which it is proposed to annex territory shall, by resolution adopted by two-thirds of the members-elect, declare its intention to apply to the circuit court for an order for an annexation referendum, and shall publish the resolution in a newspaper having general circulation in the area proposed to be annexed, as a class 1 notice, under ch. 985. The governing body shall prepare a scale map of the territory to be annexed, showing it in relation to the annexing city or village. The resolution shall contain a description of the territory to be affected, sufficiently accurate to determine its location, the name of the municipalities directly affected and the name and post-office address of the

SECTION 84.29 (SR-4) Single Family Residential – 4 Zoning District.

- (a) **Intent.** This district intends to create, preserve, and enhance areas for moderate density single family detached dwellings at an approximate density of 4 dwelling units per acre.
- (b) **Principal Uses Permitted by Right.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (1) Single Family
 - (2) Selective Cutting
 - (3) Community Garden
 - (4) Outdoor Open Space Institutional
 - (5) Passive Outdoor Recreation
 - (6) Essential Services
 - (7) Small Scale Public Services and Utilities
 - (8) Community Living Arrangement (1-8 residents) meeting the requirements of Section 84.57(h)
- (c) **Principal Uses Permitted as Conditional Use.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (1) Cultivation
 - (2) Clear Cutting
 - (3) Indoor Institutional
 - (4) Community Living Arrangement (9-15 residents) meeting the requirements of Section 84.57(i)
 - (5) Bed and Breakfast
 - (6) Large Wind Energy System
 - (7) Large Solar Energy System
- (d) **Accessory Uses Permitted by Right.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (1) Home Occupation
 - (2) In-Home Daycare (4-8 children)
 - (3) In-Family Suite
 - (4) Residential Accessory Structure
 - (5) Nonresidential Accessory Structure
 - (6) Recreational Facility
 - (7) Landscape Feature
 - (8) Residential Kennel
 - (9) On-Site Parking
 - (10) Satellite Dish
 - (11) Personal Antenna and Towers
 - (12) Communication Antenna
- (e) **Accessory Uses Permitted as Conditional Use.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (1) Accessory Dwelling Unit

- (2) Residential Chicken Coop
 - (3) Residential Apiary
 - (4) Small Wind Energy System
 - (5) Small Solar Energy System
- (f) **Temporary Uses.** Refer to Article III for detailed definitions and requirements for each of the following land uses. (Exempt from setbacks unless specified in Article III.)
- (1) Temporary Outdoor Assembly
 - (2) Temporary Shelter Structure
 - (3) Temporary Storage Container
 - (4) Temporary On-Site Construction Storage
 - (5) Temporary Contractor’s Project Office
 - (6) Temporary On-Site Real Estate Sales Office
 - (7) Temporary Relocatable Building
 - (8) Garage or Estate Sale
- (g) **Density, Intensity, and Bulk Regulations for the (SR-4) Single Family Residential – 4 District.**

	Residential Uses	Nonresidential Uses
Minimum Lot Area	9,600 square feet	9,600 square feet
Maximum Density	4 dwelling units per acre	N/A
Minimum Lot Frontage	50 feet	50 feet
Maximum Building Coverage of Lot	50 percent	50 percent
Minimum Landscape Surface Ratio	35 percent	35 percent
Minimum Lot Width	80 feet	80 feet
Minimum Front Setback	25 feet	25 feet
Minimum Street Side Setback	25 feet	25 feet
Minimum Side Setback	10 feet	15 feet
Minimum Rear Setback	25 feet	25 feet
Maximum Principal Building Height	35 feet	35 feet
Minimum Principal Building Separation (multi-structure developments on shared lots)	20 feet	30 feet
Minimum Pavement Setback (lot line to pavement; excludes driveway entrances)	5 feet from side, or 0 feet for shared driveway; 10 feet from right of way or rear	5 feet from side, or 0 feet for shared driveway; 10 feet from right of way or rear
Minimum Parking Required	See Article III	See Article III
Minimum Garage Door Setback to Alley (if applicable)	8 feet for doors parallel to alley; 3 feet for door perpendicular to alley	8 feet for doors parallel to alley; 3 feet for door perpendicular to alley
Accessory Building Side Setback	10 feet	10 feet
Accessory Building Rear Setback	10 feet	10 feet
Maximum Accessory Building Height	Lesser of 15 feet or principal building height	20 feet

- (h) **Regulations Applicable to All Uses.** Most development will also be subject to the following requirements:
- (1) Article VI: Overlay Zoning Districts
 - (2) Article VII: Performance Standards
 - (3) Article VIII: Landscaping Regulations
 - (4) Chapter 87: Signage Regulations

SECTION 84.30 (SR-5) Single Family Residential – 5 Zoning District.

- (a) **Intent.** This district intends to create, preserve, and enhance areas for moderate density single family detached dwellings at an approximate density of 5 dwelling units per acre.
- (b) **Principal Uses Permitted by Right.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (1) Single Family
 - (2) Two Flat
 - (3) Selective Cutting
 - (4) Community Garden
 - (5) Outdoor Open Space Institutional
 - (6) Passive Outdoor Recreation
 - (7) Essential Services
 - (8) Small Scale Public Services and Utilities
 - (9) Community Living Arrangement (1-8 residents) meeting the requirements of Section 84.57(h)
- (c) **Principal Uses Permitted as Conditional Use.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (1) Cultivation
 - (2) Clear Cutting
 - (3) Indoor Institutional
 - (4) Community Living Arrangement (9-15 residents) meeting the requirements of Section 84.57(i)
 - (5) Bed and Breakfast
 - (6) Large Wind Energy System
 - (7) Large Solar Energy System
- (d) **Accessory Uses Permitted by Right.** Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (1) Home Occupation
 - (2) In-Home Daycare (4-8 children)
 - (3) In-Family Suite
 - (4) Residential Accessory Structure
 - (5) Nonresidential Accessory Structure
 - (6) Recreational Facility
 - (7) Landscape Feature
 - (8) Residential Kennel
 - (9) On-Site Parking
 - (10) Satellite Dish
 - (11) Personal Antenna and Towers
 - (12) Communication Antenna
- (e) **Accessory Uses Permitted as Conditional Use.** Refer to Article III for detailed definitions and requirements for each of the following land uses.

- (1) Residential Chicken Coop
 - (2) Residential Apiary
 - (3) Small Wind Energy System
 - (4) Small Solar Energy System
- (f) **Temporary Uses.** Refer to Article III for detailed definitions and requirements for each of the following land uses. (Exempt from setbacks unless specified in Article III.)
- (1) Temporary Outdoor Assembly
 - (2) Temporary Shelter Structure
 - (3) Temporary Storage Container
 - (4) Temporary On-Site Construction Storage
 - (5) Temporary Contractor’s Project Office
 - (6) Temporary On-Site Real Estate Sales Office
 - (7) Temporary Relocatable Building
 - (8) Garage or Estate Sale
- (g) **Density, Intensity, and Bulk Regulations for the (SR-5) Single Family Residential – 5 District.**

	Residential Uses	Nonresidential Uses
Minimum Lot Area	7,200 square feet	9,000 square feet
Maximum Density	5 dwelling units per acre	N/A
Minimum Lot Frontage	50 feet	50 feet
Maximum Building Coverage of Lot	50 percent	50 percent
Minimum Landscape Surface Ratio	35 percent	35 percent
Minimum Lot Width	60 feet	80 feet
Minimum Front Setback	25 feet	25 feet
Minimum Street Side Setback	25 feet	25 feet
Minimum Side Setback	7 feet	15 feet
Minimum Rear Setback	25 feet	30 feet
Maximum Principal Building Height	35 feet	35 feet
Minimum Principal Building Separation (multi-structure developments on shared lots)	14 feet	30 feet
Minimum Pavement Setback (lot line to pavement; excludes driveway entrances)	5 feet from side, or 0 feet for shared driveway; 10 feet from right of way or rear	5 feet from side, or 0 feet for shared driveway; 10 feet from right of way or rear
Minimum Parking Required	See Article III	See Article III
Minimum Garage Door Setback to Alley (if applicable)	8 feet for doors parallel to alley; 3 feet for door perpendicular to alley	8 feet for doors parallel to alley; 3 feet for door perpendicular to alley
Accessory Building Side Setback	10 feet	10 feet
Accessory Building Rear Setback	10 feet	10 feet
Maximum Accessory Building Height	Lesser of 15 feet or principal building height	20 feet

- (h) **Regulations Applicable to All Uses.** Most development will also be subject to the following requirements:
- (1) Article VI: Overlay Zoning Districts
 - (2) Article VII: Performance Standards
 - (3) Article VIII: Landscaping Regulations
 - (4) Chapter 87: Signage Regulations

Chapter Three: Land Use

This chapter is intended to guide land use decision-making in the Village. Long-range land use planning allows municipalities to guide development and redevelopment in a manner that maintains community character and protects sensitive environmental features.

This chapter contains a compilation of background information, goals, objectives, policies, and recommended programs to guide the future preservation and development of public and private lands in the Village of Cross Plains. It includes maps showing existing land uses and recommended future land uses.

Existing Land Use

Existing Land Use Categories

An accurate depiction of the existing land use pattern is the first step in planning for the desired future land use pattern. The set of categories below was used to prepare the existing land use map for the planning area (Map 3).

- ◆ **Agriculture/Rural:** Areas proposed for maintenance and protection as croplands, pasture, forested lands or other recognized agricultural activity. This includes provision of residential uses for the owner/tenant. Residential uses are restricted to one unit per 35 acres.
- ◆ **Single Family Residential - Exurban:** Single-family detached residential development served by individual on-site wastewater treatment (septic) systems.
- ◆ **Single Family Residential – Urban:** Single-family detached residential development served by a public water and sanitary sewer system.
- ◆ **Duplex Residential:** Areas designated for residential structures meant for occupancy by two families in two separate dwelling units. Density limits are generally established by the plan committee. This area could include condominiums, rental units, owner-occupied units, or redevelopment of existing housing into duplexes.
- ◆ **Multi-Family Residential:** Areas designated for residential structures meant to be occupied by more than two “family” units, and usually having several units per structure. This area includes rental apartments and owner-occupied condominiums.
- ◆ **Commercial:** Areas designated for development or redevelopment as retail, sales, service, office, recreational or residential uses. Access to these developments is available by walking or bicycle in addition to car traffic. These areas also include smaller shops, restaurants, and offices.
- ◆ **Government/Institutional:** Areas of governmental, educational, religious, or medical property uses. Other quasi-public organizations such as public utility facilities are included in this category.
- ◆ **Industrial:** Areas designated for manufacturing, warehousing, and uses which may require outdoor storage of materials, product or machinery. Industrial lands generally have moderate development standards and each parcel in an industrial setting should have a minimum size requirement.

LAND USE RECOMMENDATIONS SUMMARY

- ◆ Follow the recommendations shown in Maps 4a and 4b when making land use decisions.
- ◆ Promote compact residential neighborhoods to better manage the rate of community expansion, preserve farmland, maximize developable land, and protect natural resources.
- ◆ Enhance the character of the Main Street corridor by encouraging compatible new development and redevelopment.
- ◆ Use intergovernmental discussions and extraterritorial authorities to direct intensive new development such as subdivisions, commercial, and industrial development into the Village.
- ◆ Modify local land development ordinances where necessary to implement recommendations in this Plan, minimize potential land use conflicts, guide growth and development, and ensure high-quality site development.

- ◆ **Extraction:** Quarries, gravel pits, clay extraction, peat extraction and related land uses.
- ◆ **Vacant:** Open lands and vacant parcels.
- ◆ **Parks:** Areas designated as public access recreational areas. These areas may include natural areas, playgrounds, picnic areas, or other facilities to be enjoyed by the general public. This category does not distinguish “ownership” by governmental jurisdiction (Village, Town, County, State, or Federal).
- ◆ **Woodlands/Open Space:** Areas on the existing land use maps, identified during the planning process as being predominantly tree covered so as to create a closed canopy over a significant geographic area.
- ◆ **Detention/Infiltration:** Areas used for stormwater detention and infiltration.
- ◆ **Surface Water:** Existing navigable waters as identified on the USGS maps. Water areas include lakes, ponds, rivers, streams, creeks or any permanent bodies of water.
- ◆ **Right-of-Way:** Areas used for or owned by public transportation agencies.

Existing Land Use Pattern

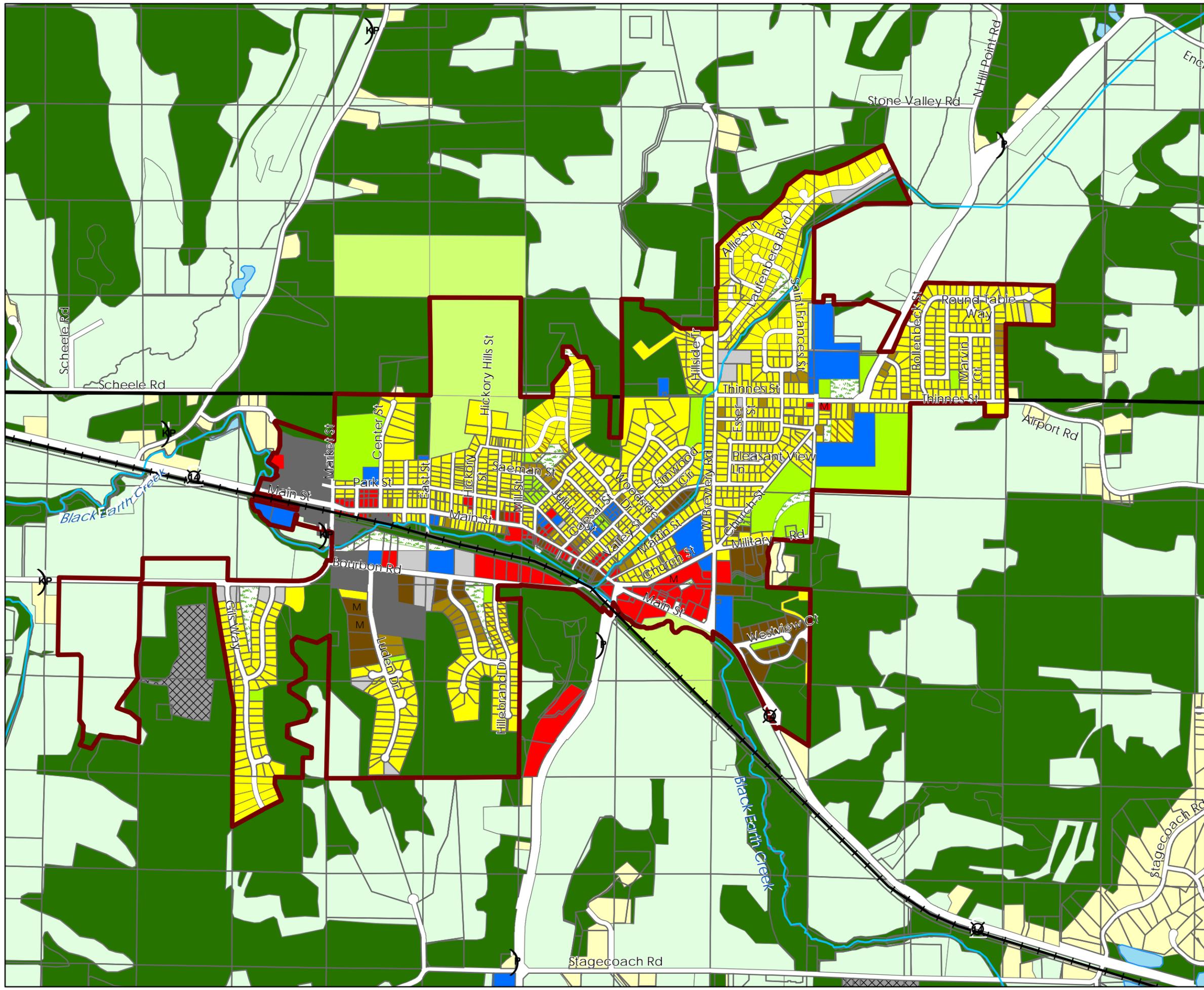
An accurate depiction of the Village’s *existing* land use pattern is the first step in planning for a desired *future* land use pattern. The Village’s consultant prepared a map of the Village’s existing land uses. Village staff and officials had an opportunity to review and suggest corrections to the existing land use map before it was finalized.

Figure 13 shows acreages for existing land uses within the village limits in 2005. As indicated, single-family residential is the primary land use with 32.4 percent (325.4 acres). The second leading land use is currently open space, with 256.6 acres (25.5 percent). Transportation is currently the third most prevalent land use (151.2 acres).

Figure 13: Existing Uses, 2005

Land Use Type	Acres	Percentage
Agriculture	64.4	6.4%
Commercial	29.2	2.9%
Gov/Institutional	73	7.3%
Industrial	29.8	3.0%
Open Space	256.6	25.5%
Parks and Rec	25.6	2.5%
Res Duplex	18.6	1.9%
Res Multi-Family	30.9	3.1%
Res Single Family	325.4	32.4%
Transportation	151.2	15.0%
TOTAL	1004.7	100%

Village of Cross Plains
 Comprehensive Plan
 Map 3: Existing Land Use



-  Village of Cross Plains Boundary
-  Town Boundaries
-  Parcels
-  Railroads
-  Surface Water
-  Single Family Residential-Exurban
-  Single Family Residential-Urban
-  Duplex Residential
-  Multi-Family Residential
-  Commercial
-  Government/Institutional
-  Industrial
-  Extraction
-  Vacant
-  Agriculture/Rural
-  Conservancy
-  Parks
-  Woodlands/Open Space
-  Detention/Infiltration
-  Right-of-Way



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Net Residential Density

In 2000 there were 1,228 dwelling units in the Village on 415.5 acres. This works out to an average residential density of just under three dwelling units per acre.

Nonresidential Intensity

Commercial and Industrial land uses each make up 4 percent of Village land area for a total of less than 8 percent of the acreage in the Village.

Land Market Trends

Trends in the Village of Cross Plains land market suggest increasing land values and lot prices. This reflects the accelerating demand for new development in the area, and the increasing relationship between the Village and surrounding higher-priced markets. The State Department of Revenue reported an increase in the total equalized values of the Village between 2000 and 2005 from \$151,886,300 to \$296,850,500.

Raw land values have increased in the Cross Plains area over the past several years. New residential lots in the Village sell for approximately \$100,000. Land intended for commercial uses sell for between \$5.00 and \$12.00 per square foot, depending on location.

Building Permits

As depicted in Figure 14, the number of building permits for the Village of Cross Plains has increased steadily since 1998 with a high in 2002 of 52 building permits, 50 of which were residential. Assuming that those units granted permits in 2000 were not counted in the 2000 US Census, total dwelling units increased to about 1,418 through the end of 2004, a 15.5 percent increase in those 5 years. There was an average of 25 permits for single family houses issued between 1998 and 2006.

Figure 14: Recent Building Permits (1998 - 2006)

Building Permits Use	Year									
	1998	1999	2000	2001	2002	2003	2004	2005	2006	
Residential										
Single-Family	1	10	22	33	49	47	37	23	6	
Duplex					1			1	1	
Commercial		1			1	1				
Municipal					1*					
Total:	1	11	22	33	52	48	37	24	7	

*Fire Station

Source: U.S. Census Bureau

Existing and Potential Land Use Conflicts

Existing land use conflicts in the Village mainly occur where homeowners and businesses have occasional conflicts around the issues of noise and truck traffic associated with USH 14. Proximity near vacant or significantly underutilized buildings—such as the Zander Creamery site—can create challenges to property values and enjoyment of adjacent properties as well. This *Comprehensive Plan* is focused on minimizing potential future land use conflicts through thoughtful placement of possibly conflicting new uses, high quality design, and buffering of possibly conflicting uses.

Projected Demand for Future Land Uses

The interaction of local and regional dynamics will continue to drive population change, household size, the balance of residential and non-residential uses, and the density of development in the Cross Plains area. These factors, in turn, determine the demand for land development. The following calculations assume the average number of persons per household will decrease slightly from 2.56 to 2.5 and the number of houses per acre will increase slightly from 3 to 3.5 through the planning period. The fluctuations in acreage demands are a result of these assumptions.

Because the market for land is not only driven by demand, but is also dictated by the motivations and desires of land owners and developers, it is important to factor in an allowance for uncertainty. In other words, a given parcel of land may not be available for development when the market is ripe for development. Therefore, incorporating a flexibility factor into the projection ensures that the supply of areas designated as appropriate for development will accommodate future demand. These projections utilized a 100 percent flexibility factor (i.e. total projected land use needs were doubled).

Projected non-residential demand will be distributed in 5-year increments as follows. Land in commercial uses are projected increase by 26 acres from 2005 to 2010, 25 acres from 2010 to 2015, 26 acres from 2015 to 2020, 25 acres from 2020 to 2025, and 23 acres from 2025 to 2030 – a total of roughly 125 acres of additional commercial land use demand. Land in industrial uses are projected to increase by 26 acres from 2005 to 2010, 23 acres from 2010 to 2015, 20 acres from 2015 to 2020, 18 acres from 2020 to 2025, and 15 acres from 2025 to 2030 – a total of roughly 103 acres of industrial land uses. These may include some of those uses described on the Future Land Use Map as “Office/Research”, “Light Industrial”, and “General Industrial.” This breakdown of projected commercial and industrial land uses reflects the historic balance of commercial and industrial uses in the Village, with some additional emphasis on commercial uses.

In general, agricultural land in the Village is expected to be an interim use pending development. Agricultural land uses in the Village will decline over the planning period, following current trends of agricultural land conversion in the Village. The amount of land in agricultural uses in the Village is projected to decline by roughly the amount of residential, commercial, and industrial land added to the Village every 5-years. The Village intends to work with neighboring towns to ensure that a significant portion of the land base in the Village’s extraterritorial jurisdiction remains rural and in agricultural uses.

Figure 15: Projected Land Use Demand

	2005- 2010	2010- 2015	2015- 2020	2020- 2025	2025- 2030	Total
Projected Number of New Residents	493	493	493	493	493	2,465
Projected Number of New Housing Units	193	194	196	197	197	977
New Residential Acreage Demand	64	62	61	59	56	302
New Non-Residential Acreage Demand	53	48	46	43	38	227
Land for Roads, Utilities, Stormwater Management, etc.	24	23	22	21	20	110
Flexibility Factor	2.0	2.0	2.0	2.0	2.0	
Total New Residential and Non-Residential Acreage Demand	257	243	237	224	208	1,168

Future Land Use

This section of the *Plan* has the intent of guiding land use and development in the Village through the year 2030. The Future Land Use Map (Maps 4a and 4b) is the centerpiece of this chapter and the *Plan's* land use direction. Maps 4a and 4b were prepared based on an analysis of a variety of factors, including overall development trends, location and availability of vacant land in the Village, location of areas logical for future development based on existing development, environmental constraints, public and property owner input, and this *Plan's* overall vision (see Element One: Issues and Opportunities).

The Future Land Use Map and related policies described below should be used as a basis to update the Village's regulatory land use tools, such as the Zoning Map. They should also be used as a basis for all public and private sector development decisions, including those within the Village's extraterritorial jurisdiction. These include annexations, rezonings, conditional use permits, land divisions, extension of municipal utilities, 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 automatically compel property owners to change the use of their land.

Not all land shown for development on the Future Land Use Map will be immediately appropriate for rezoning and other land use approvals following adoption of this *Plan*. Given service demands and other factors, careful consideration to the amount, mix, and timing of development to keep it manageable and sustainable is essential. The Village advocates the phased development of land that focuses growth in areas and types that advance the vision of the community and can be efficiently served with transportation, utilities, public services, and other community facilities.

Wisconsin Statutes specifically allow cities and villages to prepare plans for lands both inside and outside their municipal boundaries—up to the edges of their extraterritorial jurisdictions. To effectively manage growth, this *Plan* identifies desirable land use patterns both within the existing Village limits and in unincorporated areas around the Village. This approach recognizes that Village (and regional) growth and economic health can be either facilitated or impeded by the patterns of growth and preservation in adjacent areas. Not surprisingly, implementing many of the land use recommendations of this *Plan* will be greatly aided by intergovernmental cooperation, with opportunities described more fully in the Intergovernmental Cooperation Element. The Village may also take unilateral action as allowed by law to attempt to carry out its land use vision.

Each of the future land use categories shown on the Future Land Use Map are described below. Each land use category description includes summarizes where that type of land uses should be promoted, the appropriate zoning districts to implement that category, policies related to future development in areas designated by that category, and overall approaches for achieving the Village's overall vision for the future.

Land Use Goals, Objectives, and Policies

Goal:

1. Ensure that the character and location of all types of land uses within the Village contribute to the general health, safety, and welfare of Cross Plains' residents and property owners.

Objectives:

1. Provide for the complete range of land uses in the Village of Cross Plains by designating areas most appropriate for such uses on the Village's Future Land Use Map.
2. Achieve a compact, efficient development pattern in the Village to enhance the provision of municipal services.
3. Ensure that all new development can be adequately served by existing municipal services and facilities before development projects are approved.
4. Through the implementation of comprehensive planning and detailed area plans, work towards achieving the highest and best use of all vacant and underutilized lands and buildings in the Village of Cross Plains.

5. Protect established, viable residential neighborhoods from intrusions by more intensive land uses, such as intensive commercial and industrial uses, through the use or zoning or mitigation measures such as buffer yards, vegetative or structural screening, high quality site planning, sound-proofing, traffic access and control of parking lot lighting are incorporated into the design.
6. Regulate development in areas which may be annexed to the Village as identified for protection in the Water Quality Corridors in order to mitigate impacts on the area streams and maintain or enhance the base flow of those streams.
7. Improve the visual quality and physical design of the Village of Cross Plains by developing and enforcing new signage, landscaping, property maintenance, site plan review, building design, parking and outdoor storage regulations.
8. Consider the visual impacts of developments during the approval process and prevent development on or near slopes and bluffs in and around the Village.
9. Enforce parks and open space requirements for new developments.
10. Encourages cooperative planning with neighboring townships and counties to ensure that urban development is guided to the Urban Service Area and that very low density rural development (one dwelling unit per 35 acres owned and a maximum lot size of 2 acres) is encouraged in areas where municipal sanitary sewer service is not available or authorized.

Policies:

1. Follow the land use recommendations that are mapped and described in this *Plan* when reviewing new rezoning requests and making detailed land use decisions.
2. Guide new development to areas adjacent to existing development and where logical extensions to streets, sewer lines, and water lines may occur.
3. Require annexation prior to urban development to ensure that such development is consistent with Village plans, zoning and subdivision design standards, and Village utility systems.
4. Encourage agricultural preservation and natural resource protection and discourage the development of unsewered subdivisions in areas of the towns within the Village's extraterritorial jurisdiction.
5. Use cooperative planning, extraterritorial zoning and other techniques to direct intensive new development—such as subdivisions, commercial development, and industrial development—to the Village as a way to relieve pressure to develop in the towns.
6. Preserve and enhance the character of the Main Street corridor by encouraging compatible new development and redevelopment.
7. Preserve architecturally, culturally, and historically significant structures, buildings, and sites.
8. Disperse mixed-residential development throughout the Village, rather than creating large concentrations of this type of development in a just a few areas.
9. Ensure that incompatible land uses are not located close to one another, or, where necessary, require adequate buffering between incompatible land uses
10. Promote road and pedestrian connections between existing and new development areas.
11. Adopt and use high-quality standards for building, site, landscape, signage, and lighting design in new development projects.
12. Protect the visual quality of major community thoroughfares by requiring all development and redevelopment along these entry corridors to include site plan and design review.
13. Modify local land development and environmental protection ordinances where necessary to implement the goals, objectives, and recommendations in this *Plan*, minimize potential land use conflicts, guide growth and development, ensure high-quality site development, and adequately protect water quality.

Residential Land Use Categories

Single Family – Exurban

Description

This future land use category is intended for single family residential development on private well and on-site waste treatment (septic) systems, generally at densities between 1 dwelling unit per acre and 1 dwelling unit per 35 acres. This area is mapped in the Village's extraterritorial jurisdiction only, in limited areas where substantial single family residential development of this type has already occurred.

Recommended Zoning

This category is mapped in areas outside the municipal boundary, and is therefore subject to County zoning and/or in the Town of Cross Plains joint extraterritorial zoning and policies.

Policies and Programs

1. Allow land divisions in these extraterritorial jurisdiction areas where applicable zoning and the Village subdivision ordinance allows for them.
2. Consider amending the Village's land division ordinance to limit new development to a density of one residential dwelling unit per 35 acres with a maximum lot size of 2 acres.
3. Require sensitivity towards natural resources and water quality with new development projects, including assurances that concentrations of on-site waste treatment systems will not negatively affect groundwater quality and that stormwater will be properly managed according to best practices.
4. Assure that new development in these areas does not impede the logical future extension of municipal utilities or Village growth.



Single Family – Urban

Description

This future land use category is intended for existing and planned groupings of single-family detached residences that are served by public sanitary sewer and water systems. Small public and institutional uses—such as parks, schools, churches, and stormwater facilities—may also be built on lands within this category. This category is mapped in various parts of the Village of Cross Plains where the desire is to promote or retain single family character.

Recommended Zoning

The Villages R-1 single family zoning district is the most appropriate for areas mapped in this future land use category.



Policies and Programs

1. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
2. Develop new single family residential areas in accordance with carefully-considered development plans including progressive erosion control and stormwater management techniques.
3. Pursue residential infill opportunities where feasible.
4. As maintenance and rehabilitation needs arise, work with the County, State and local lenders to assist homeowners and landlords with rehabilitation projects.
5. Refer to the Housing Element for detailed housing recommendations.

*Two-Family/ Townhouse***Description**

This designation is primarily intended to allow groupings of attached single family residences with individual entries (e.g., zero lot line homes, townhouses, rowhouses, condominiums) and duplexes that are or will be served by public sanitary sewer and water systems. Small public and institutional uses—such as parks, schools, churches, and stormwater facilities—may also be built within this designation, if appropriate zoning is granted as considered on a case by case basis. The Two-Family/Townhouse development is mapped in areas of existing development. A limited amount of Two-Family/Townhouse uses may also be included in portions of new Planned Neighborhoods.

Recommended Zoning

The Villages R-2 two-family zoning district is the most appropriate for areas mapped in this future land use category.

Policies and Programs

1. Incorporate Two-Family/Townhouse residential uses in Planned Neighborhoods.
2. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
3. As maintenance and rehabilitation needs arise, work with the County, State and local lenders to assist homeowners and landlords with rehabilitation projects.
4. Refer to the Housing Element for detailed housing recommendations.

*Mixed Residential***Description**

This future land use category is intended for a variety of residential units focused on multi-family housing (3+ unit buildings), served by public sanitary sewer and water systems. Single-family detached housing, attached single family residences with individual entries (e.g., townhouses, rowhouses), senior housing, and small public and institutional uses—such as parks, schools, churches, and stormwater facilities—may also be within lands mapped in this category, if appropriate zoning is granted as considered on a case by case basis. Mixed

Residential uses are mapped in existing multi-family development and a limited amount of multi-family housing may also be included in portions of new Planned Neighborhoods.

Recommended Zoning

The Village’s RM multiple-family zoning district is the most appropriate district to implement this future land use category.

Policies and Programs

1. Future development in this designation will be served by the Village’s public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village’s subdivision ordinance.
2. Encourage multiple-family residential building sizes of between 4 and 6 units. In any case, the size of the building shall be in scale with the surrounding neighborhood.
3. Meet minimum site, building, landscape, lighting, and other design standards included in the Housing Element and the zoning ordinance.
4. Discourage large concentrations of multi-family and duplex/townhouse developments. Rather, this type of development should be dispersed throughout Planned Neighborhood areas.
5. Support projects that include a strong program for maintaining the quality, value, and safety of the development over time.



Planned Neighborhood

Description

The Planned Neighborhood future land use category is intended to provide for a variety of housing choices and a mix of non-residential uses such as parks, schools, religious institutions, and small-scale shopping and service areas. They are really a collection of different land use categories listed in this chapter. Planned Neighborhoods should be carefully designed as an integrated, interconnected mix of these use categories. They are by no means intended to justify an “anything goes” land use pattern. Overall, the composition and pattern of development should promote neighborhoods that instill a sense of community with their design.



The Planned Neighborhood concept encourages a mix of Single-Family Residential – Urban, Two-Family/Townhouse Residential, Mixed Residential, Community Facilities, Parks, and Neighborhood Business uses. Maintaining a minimum of 65 percent Single Family Residential – Urban uses has the effect of dispersing higher density development throughout the community and limiting the concentration of any one type of development in any one area. Appropriate commercial uses include neighborhood-oriented shopping opportunities, such as a small grocery store, barber shop, bakery, or pharmacy; smaller employment opportunities (usually located on the edges of these neighborhoods); and educational facilities (usually elementary schools) for area residents. Large areas of Planned Neighborhood area mapped at the edge of the Village.

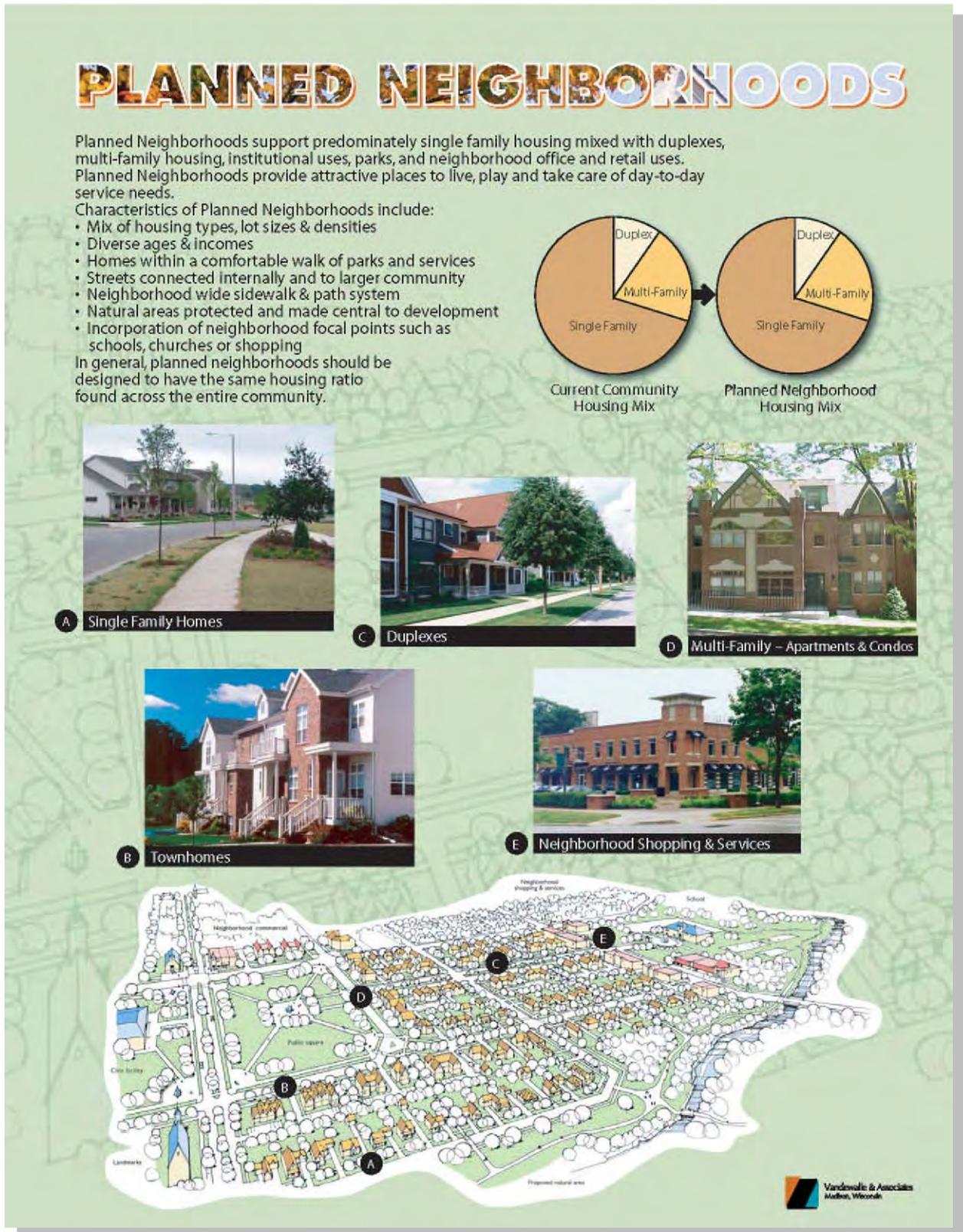
Recommended Zoning

The Village's PDD residential planned development zoning district is the most appropriate district to implement this future land use category.

Policies and Programs

1. Maintain overall residential development densities within Planned Neighborhoods of between 3 and 5 dwelling units per residential acre.
2. Accommodate a mixture of housing types, costs, and densities, while maintaining the predominance of single-family housing in the community. In Planned Neighborhoods, seek a housing mix where not less than 65 percent of all housing units are in single family detached residences, with a maximum of 15 percent of units in two-family dwellings and a maximum of 20 percent of units in multiple family dwellings.
3. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
4. Avoid rezoning any area designated for Planned Neighborhood development until public sanitary sewer and water service is available and a neighborhood development plan and specific development proposal is offered for the site.
5. Require each Planned Neighborhood to be developed following preparation of a detailed neighborhood development plan by a developer or the Village, ideally adopted as a component of the Village's *Comprehensive Plan*. Such plans shall specify land use mix, density, street layouts, open space, erosion control, and stormwater management. See Chapter Six: Housing and Neighborhood Development.
6. Develop and adopt a conservation subdivision ordinance in accordance with Wis. Stat. 66.1027.
7. Develop and adopt a traditional neighborhood zoning district ordinance to allow for implementation of the traditional neighborhood design concept.
8. Adhere to the following design objectives for Planned Neighborhood areas depicted in Figure 16:
 - ◆ Create a distinct sense of place and charming human scale. Strategies include bringing buildings close to the sidewalk and local streets; providing public focal points with public plazas, greens and squares; creating visual interest; and designating prominent building sites.
 - ◆ Connect Planned Neighborhoods internally and to adjacent areas through a network of paths, sidewalks, and streets that discourage high travel speeds but still allow access to emergency and maintenance vehicles (e.g. fire trucks and snow plows).
 - ◆ Design neighborhoods with interconnected open space systems for recreation and progressive stormwater management.
 - ◆ Integrate a mix of uses and densities within and around the neighborhood commercial centers
 - ◆ Preserve and focus attention on environmentally sensitive areas and unique natural features.
 - ◆ Lay out streets, buildings, and public open spaces which take advantage of sweeping views created by local topography.

Figure 16: Planned Neighborhoods



Non-Residential Land Use Categories

Office/ Research

Description

This future land use category is intended to facilitate high-quality office, research and development, recreational, and business park support uses (e.g., day care, hotel, health club, bank). Development will include generous landscaping, screened storage areas, and modest lighting and signage.

Office/Research areas are mapped northeast of the Village along CTH P.

Recommended Zoning

The Village’s BOR office and research business zoning district is most appropriate for areas within this future land use category.

Policies and Programs

1. Future development in this designation will be served by the Village’s public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village’s subdivision ordinance.
2. Encourage the use of high quality building materials, improved window treatments, high- quality loading and storage screening devices and landscaping.
3. Ensure that future office/research development is appropriately buffered from existing and planned residential development areas.
4. Adhere to adopted site and building design guidelines for office/research projects, and ordinances on other aspects of those projects like signage, landscaping, and lighting.
5. Require that all projects submit and have approved detailed building elevations and site plans, showing the proposed locations of the building(s), parking, storage, loading, signage, landscaping, and lighting prior to development approval.



Neighborhood Business

Description

This future land use category is intended for neighborhood-scale residential, office, and neighborhood supporting institutional and commercial land uses that mainly serve the surrounding neighborhoods on public sewer, public water, and other urban services and infrastructure. There are several areas throughout the Village—general in close proximity to existing or future residential neighborhoods—that are mapped in this category.

Recommended Zoning

The Village’s BN neighborhood business zoning district is the most appropriate district to implement this future land use category.



Policies and Programs

1. Encourage neighborhood-oriented retail and service businesses in areas that will conveniently serve Village neighborhoods.
2. Require that all proposed commercial projects submit a detailed site plan, building elevations, lighting plan, grading/stormwater management plan, and signage plan prior to development approval.
3. In Neighborhood Business areas, require the use of high-quality building materials and designs that are compatible with residential areas, including residential roof materials such as shingles; generous window placements; and exterior materials such as wood, cement board, vinyl siding, brick, decorative block, stone, and other materials approved by the Plan Commission.
4. Require calm, low-key, and attractive lighting and signage that are compatible with residential areas.

*Planned Business***Description**

This future land use category includes large-scale commercial and office land uses, including national and regional retailers, which serve the entire community and people from nearby communities on public sewer, public water, and other urban services and infrastructure. Planned Business land uses are located south of Church Street west of Brewery Road.

Recommended Zoning

The Village's PDD business planned development district or the BN neighborhood business zoning district are the most appropriate districts to implement this future land use category.

Policies and Programs

1. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
2. Adhere to site, building, signage, landscaping, and lighting design guidelines for commercial, large scale retail, and mixed use development projects.
3. Adhere to established standards for highway access control, shared driveways, and cross access.
4. Require that all commercial projects submit and have approved detailed building elevations and site plans, showing the proposed locations of the building(s), parking, storage, loading, signage, landscaping, and lighting prior to development approval.
5. Prohibit the unscreened outdoor storage of equipment or materials, except for automobiles.
6. Consider the relationship between development in the Planned Business areas and existing and future development behind these sites. Avoid inhibiting future access to sites behind commercial properties and creating an unattractive appearance which will inhibit future development of these sites.
7. Encourage uses that are most appropriate for the Village's Downtown areas to develop or remain in the Downtown, rather than in locations designated as Planned Business.

*Downtown***Description**

The unique incorporation of the two hamlets into one Village created two areas of downtown character development in Cross Plains along Highway 14. These areas are intended to remain the civic, social, and commercial hub of the community. This opportunity has recently been enhanced through the revitalization planning efforts along Highway 14.

This category is intended for a mix of retail, commercial service, office, institutional, governmental, and residential (mainly upper stories) uses arranged in a pedestrian-oriented environment with on-street parking;

minimal front and side yard building setbacks; and building designs, materials, placement, and scale that are compatible with the character of existing development. The Downtown future land use category is mapped over the historic Downtown areas.

Recommended Zoning

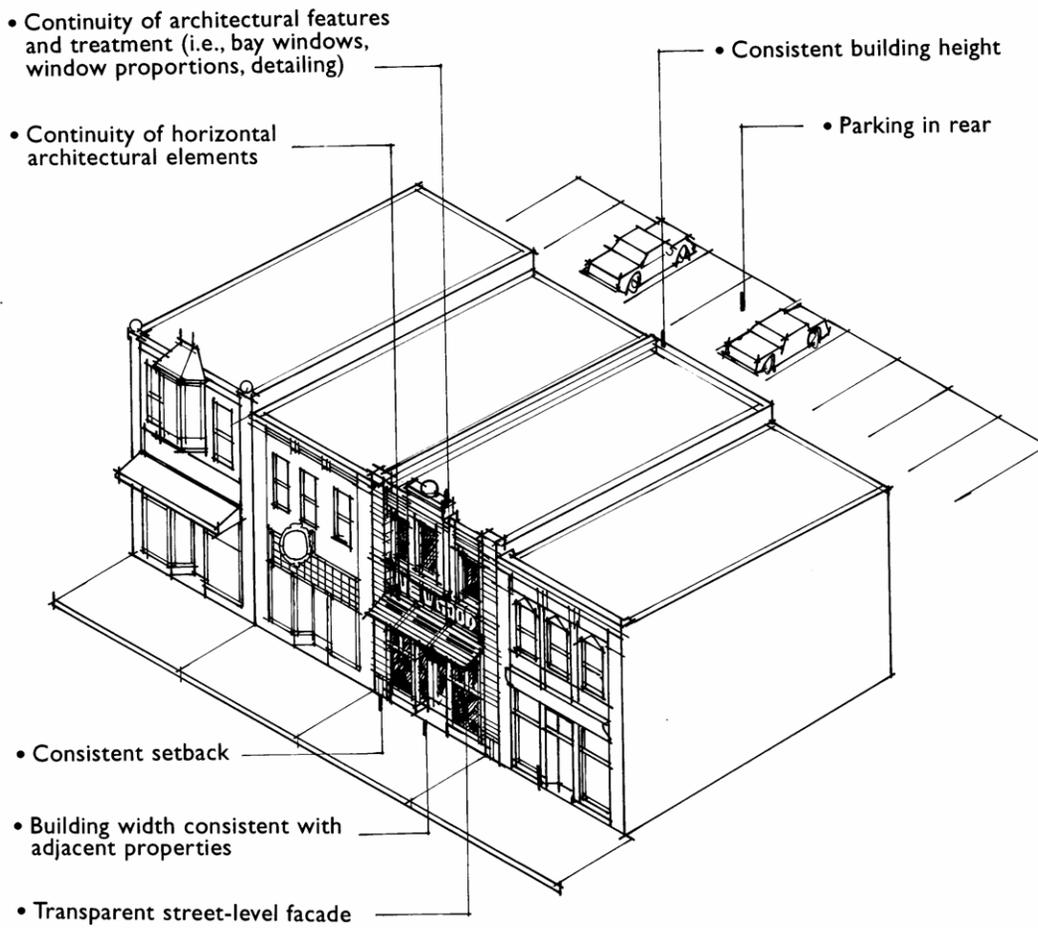
While the Village's BC(O) central business overlay zoning district will accommodate this future land use category, the Village should consider adopting a stand alone downtown zoning district to implement this future land use category.

Policies and Programs

1. Follow the recommendations of the Cross Plains Downtown Revitalization Plan, which provides additional detail on desired future land uses along Highway 14 in the Village.
2. Preserve the architectural and historic character of the Downtown areas and buildings by requiring that new development, expansions, and exterior renovations comply with general design standards in the Downtown Revitalization Plan.
3. Grant development approvals only after submittal, public review, and approval or site, landscaping, building, signage, lighting, stormwater, erosion control, and utility plans.
4. Encourage commercial developments that are most appropriate for the historic Downtown areas to locate or remain there, rather than in other business districts in the Village.
5. Promote the expansion, retention, and upgrading of specialty retail, restaurants, financial services, offices, professional services, residential, and community uses through marketing, investment and incentive strategies.
6. Adopt a central business zoning district to preserve the character of Downtown areas consistent with the characteristics of Figure 17 and the guidelines identified in "Cross Plains Main Street Design Standards" including use, two story minimums, and "build to lines".



Figure 17: Appropriate Historic Downtown Development



Planned Mixed Use

Description

This future land use category is intended to facilitate a carefully controlled mix of commercial and residential uses on public sewer, public water, and other urban services and infrastructure. This category advises a carefully designed blend of Planned Business, Light Industrial, Mixed Residential, and Community Facilities land uses. Planned Mixed Use land uses are focused along Bourbon Road.



Recommended Zoning

The Village’s PDD business planned development zoning district is the most appropriate district to implement this future land use category.

Policies and Programs

1. Carefully review all projects in Planned Mixed Use areas to ensure an appropriate mix of uses which are compatible with neighboring properties and the Village’s vision for the area. The precise mix of uses and zoning districts should be at the Village’s discretion, rather than the property owner.
2. Future development in this designation will be served by the Village’s public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village’s subdivision ordinance.
3. Grant development approvals only after submittal, public review, and approval or site, landscaping, building, signage, lighting, stormwater, erosion control, and utility plans.
4. In Planned Mixed Use areas, require the use of high-quality building materials and designs as approved by the Plan Commission.
5. Adhere to established standards for highway access control, shared driveways, and cross access.

Light Industrial

Description

This future land use category is intended to facilitate indoor-oriented manufacturing, warehousing, and distribution land uses with moderate landscaping and signage, served by public sewer, public water, and other urban services and infrastructure. Light Industrial areas are mapped northeast of the Village east of CTH P and on the west side of the Village on Main Street.



Recommended Zoning

While the Village’s I industrial zoning district will accommodate this future land use category, the Village should consider adopting a new light industrial zoning district.

Policies and Programs

1. As opportunities for reinvestment and redevelopment of existing industrial properties occur, improve the appearance of building facades exposed to the public view, including loading docks and storage areas.
2. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
3. Encourage the use of high quality building materials, improved window treatments, high- quality loading and storage screening devices and landscaping.
4. Ensure that future industrial development is appropriately buffered from existing and planned residential development areas.
5. Adhere to adopted site and building design guidelines for industrial projects, and ordinances on other aspects of those projects like signage, landscaping, and lighting.
6. Require that all industrial projects submit and have approved detailed building elevations and site plans, showing the proposed locations of the building(s), parking, storage, loading, signage, landscaping, and lighting prior to development approval.
7. Enforce the Performance Standards outlined in the zoning ordinance to limit the impact of Light Industrial land uses on adjacent and nearby property, including limits on excessive, noise, odor, glare, vibration, storage of hazardous and/or waste materials, and emanations of solid, liquid, and gaseous waste products.
8. Consider adopting a new light industrial zoning district to implement this future land use category.

*General Industrial***Description**

This future land use category includes indoor manufacturing, warehousing, distribution, and office uses, often with significant outdoor storage or processing of materials. New development should adhere to high-quality building design, generous landscaping, modest lighting, screened storage and processing areas, and limited and attractive signage. These areas should be located near arterial roads and away from existing or planned residential areas and high visibility community gateways whenever possible. The Village has not mapped any specific areas in this category at this time. Instead, the Village will consider applications for rezoning and *Plan* amendment for general industrial uses on a case-by-case basis.

Recommended Zoning

The Village's I industrial zoning district is most appropriate for areas within this future land use category.

Policies and Programs

1. As opportunities for reinvestment and redevelopment of existing industrial properties occur, improve the appearance of building facades exposed to the public view, including loading docks and storage areas.
2. Future development in this designation will be served by the Village's public sanitary sewer and water systems and comply with the erosion and stormwater management requirements of the Village's subdivision ordinance.
3. Encourage the use of moderate quality building materials, improved window treatments, effective loading and storage screening devices and landscaping.
4. Ensure that future industrial development is appropriately buffered from existing and planned residential development areas.
5. Adhere to adopted site and building design guidelines for industrial projects, and ordinances on other aspects of those projects like signage, landscaping, and lighting.

6. Require that all industrial projects submit and have approved detailed building elevations and site plans, showing the proposed locations of the building(s), parking, storage, loading, signage, landscaping, and lighting prior to development approval.
7. Enforce the Performance Standards outlined in the zoning ordinance to limit the impact of General Industrial land uses on adjacent and nearby property, including limits on excessive, noise, odor, glare, vibration, storage of hazardous and/or waste materials, and emanations of solid, liquid, and gaseous waste products.

Community Facilities

Description

This future land use category is designed to facilitate large-scale public buildings, schools, religious institutions, power plants and substations, hospitals, and special care facilities. The Future Land Use Map generally shows existing locations of such facilities. Future small-scale institutional uses may also be located in areas planned for residential, commercial, office, industrial, or mixed uses, while larger-scale institutional uses should generally be avoided in planned residential areas.

Recommended Zoning

While community facilities are conditional uses in all zoning districts, the Village should consider adopting an institutional or community facilities zoning district to implement this future land use category.

Policies and Programs

1. Require and review a detailed site and operations plan before new or expanded institutional uses are approved.
2. Existing residential uses shall be adequately buffered from the institutional use via the use of decorative fencing, vegetative screening, berms or similar features.
3. Existing institutional uses shall work with the surrounding neighborhood to discuss potential long-term expansion plans and how these plans would impact the area. Pre-identified institutional expansion areas shall be delineated by institutions whenever possible to minimize the potential for future land use conflicts.
4. As a general rule, institutional uses should not generate on-street parking in residential neighborhoods. All parking needs for institutional uses should be met on-site.
5. Institutional uses shall be designed to be easily served by transit vehicles.
6. Continue to work with the Middleton-Cross Plains School District to coordinate uses and activities on district-owned land.
7. Encourage collaboration among the Public Works, Fire, and Police Department, and other providers of Village services, on accommodating future service needs, as described in greater detail in the Utilities and Community Facilities Element.
8. Adopt an institutional or community facilities zoning district to implement this future land use category. Such a district should allow major public and quasi-public uses such as cemeteries, municipal buildings, parks, and schools.



Rural/Environmental Land Use Categories

Agriculture/Rural

Description

The Agriculture/Rural future land use category is established and mapped on Maps 4a and 4b within the Village's extraterritorial jurisdiction to preserve productive agricultural and forest lands in the long-term, protect existing farm operations from encroachment by incompatible uses, promote further investments in farming, and maintain farmer eligibility for incentive programs.

This category focuses on lands actively used for farming, with productive agricultural soils, with topographic conditions suitable for farming, and with long-term suitability for farming. This category also includes scattered open lands and woodlots, farmsteads, agricultural-related uses, such as implement dealerships, associated home occupations and small family businesses which do not interfere with the interests of nearby property owners, small-scale forest production and processing, and limited single-family residential development at densities at or below one home per 35 acres, with a maximum lots size of 2 acres.

Recommended Zoning

These lands are subject to Town zoning or joint extraterritorial zoning, and should generally be zoned for exclusive agricultural use.

Policies and Programs

1. Continue to act as an approval authority on proposed land divisions within the Village's extraterritorial jurisdiction to help assure the implementation of this desired future land use designation.
2. Support land developments in this area only where clearly related to the description above and where proposed housing (or other non-farm use) is at very low densities.
3. Do not extend sanitary sewer service or public water service into Agriculture/Rural areas until and unless the Village changes the future land use category for such areas through a *Comprehensive Plan* amendment.
4. Work with the adjoining Towns and County to achieve these policies and programs in a cooperative manner.

Parks

Description

This category generally includes publicly-owned land designated as Village parks or other recreational facilities owned by public or non-profit agencies. Some Park areas may also be accommodated within other land use categories, such as in Single Family Residential – Urban areas and Planned Neighborhoods.

Recommended Zoning

While parks are conditional uses in all zoning districts, the Village should consider adopting an institutional or community facilities zoning district to implement this future land use category.

Policies and Programs

1. Continue to review the Village's park impact ordinance to ensure that new residential development provides public park and recreational facilities, or fees in lieu of such facilities, following State statutory requirements.
2. Follow the Village's Parks and Open Space Plan when making decisions related to the park system, and update that plan every five years.



3. Ensure that all land use decisions take into consideration the recommendations included in the Utilities and Community Facilities Element of this *Plan*.
4. Design future planned neighborhoods around and with access to environmental corridors and Parks areas without negatively affecting them from an environmental standpoint.

Conservancy

Description

This category generally includes publicly-owned land designated as State or County natural areas or other recreational facilities. Conservancy is mapped along Black Earth Creek through the Village and conservation-owned land.

Recommended Zoning

The Village’s C conservancy zoning district is most appropriate for areas within this future land use category.

Policies and Programs

1. Continue to work with local and state agencies and organizations to protect sensitive natural areas.
2. Ensure that future development is appropriately buffered from existing and planned Conservancy areas.
3. Continue to work with WisDNR, Dane County, and others to coordinate possible connections between public recreation areas and the Village.
4. Ensure that all land use decisions take into consideration the recommendations included in the Agricultural, Natural, and Cultural and Community Facilities Elements of this *Plan*.
5. Low impact harvesting for conservation areas; if no special restriction.
6. Allow low impact timber harvesting in Conservancy areas, if no special restrictions exist.



Woodlands

Description

This category generally includes tracts of woodlands and scattered open space lands. Woodlands are mapped throughout the planning area, particularly on hilltops.

Recommended Zoning

The Village’s HILL(O) hillside/hilltop protection zoning district is most appropriate for areas within this future land use category.

Policies and Programs

1. If development is proposed in areas where Woodlands have been mapped or are adjoining, the landowner or developer is responsible for determining the exact boundaries of the Woodlands and preserving these areas.
2. Continue to work with local and state agencies and organizations to protect sensitive natural areas.
3. Continue to work with WisDNR, Dane County, and others to coordinate possible connections between public recreation areas and the Village.
4. Ensure that all land use decisions take into consideration the recommendations included in the Agricultural, Natural, and Cultural and Community Facilities Elements of this *Plan*.

Environmental Corridor

Description

The Environmental Corridor category includes generally continuous open space systems based on lands that have sensitive natural resources and limitations for development. This designation includes WisDNR identified wetlands subject to existing State-mandated zoning, FEMA designated floodplains, shoreland setback areas, and slopes of 20 percent or greater. Environmental Corridor areas are generally located along the creeks.

Recommended Zoning

The Village's NR(O) natural resource protection overlay zoning district is most appropriate for areas within this future land use category.

Policies and Programs

1. New development in mapped Environmental Corridor areas should be prohibited.
2. If development is proposed in areas where environmental corridors have been mapped or are adjoining, the landowner or developer is responsible for determining the exact boundaries of the Environmental Corridor based on the wetland, floodplain, or steep slope that comprise the corridor.
3. Continue to allow existing agricultural uses (cropping, grazing, or other preexisting agricultural uses) within Environmental Corridors.

Water Quality Corridors

Description

This designation is an overlay to identify areas within the Village's extraterritorial jurisdiction where development may have particularly significant impacts on streams so that special protection measures are taken to protect stream water quality and base flow should these areas be annexed.

Recommended Zoning

See the underlying future land use category for the most appropriate Village zoning district.

Policies and Programs

See the Natural Resources section of Chapter Two: Agricultural, Natural, and Cultural Resources for policies and programs for this overlay future land use category. In addition, the policies and programs of the underlying future land use category should apply.

Other Land Use Recommendations

Opportunities for Redevelopment

There are several vacant lots and buildings within the Village's downtown area that could be put to better use. One site in particular is a high priority for redevelopment due to its size, location and potential value: the Zander's Creamery. The Creamery was closed in 2004 due to a listeria outbreak and subsequent product recall. Attempts to eliminate the source of contamination proved unsuccessful. A more detailed review of this and other redevelopment opportunities is planned as part of the Downtown BUILD project.

"Smart Growth" Areas

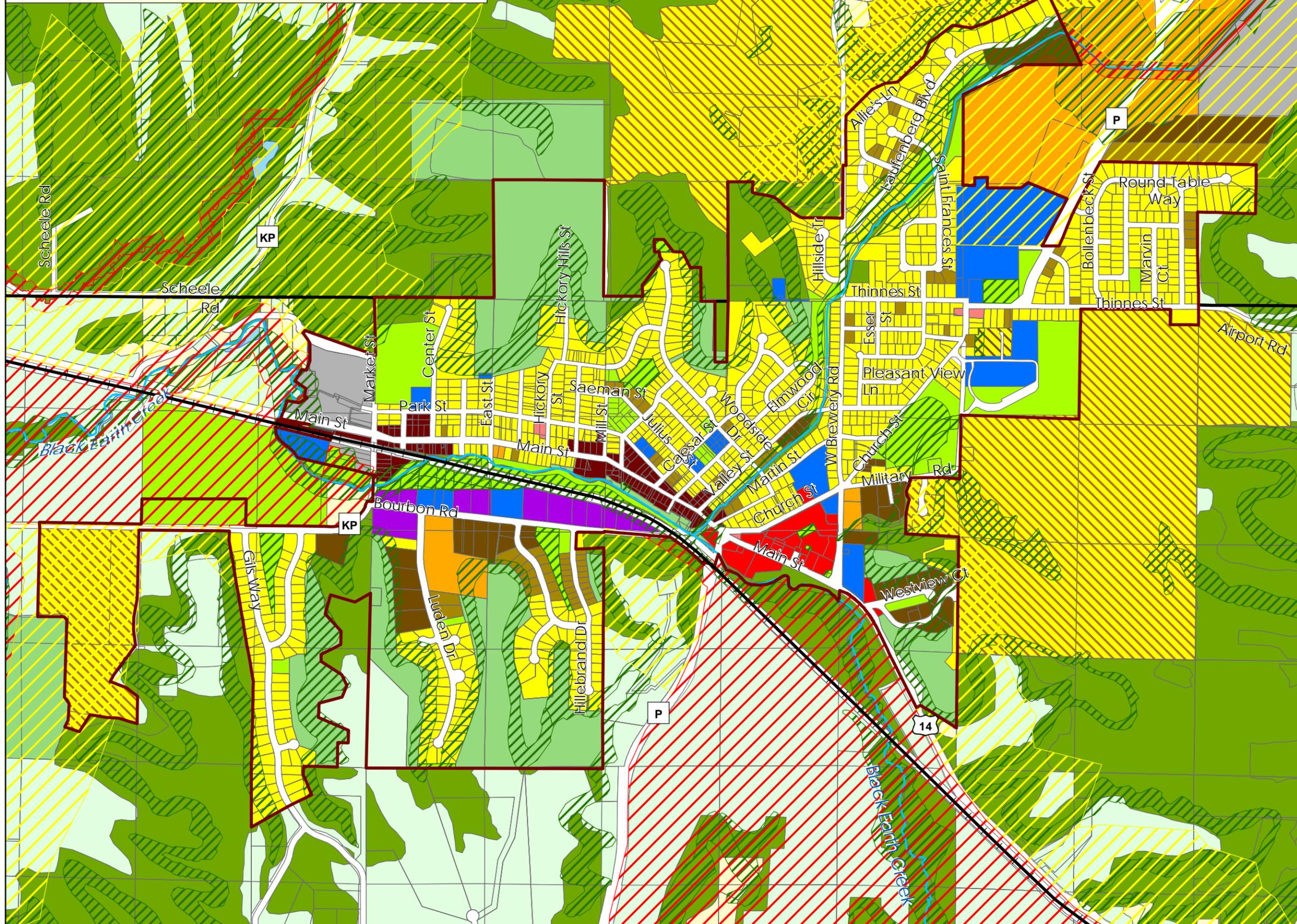
"Smart Growth" Areas are defined by the State of Wisconsin as "areas that will enable the development and redevelopment of lands with existing infrastructure and municipal, State, and utility services, where practical, or that will encourage efficient development patterns that are both contiguous to existing development and at densities which will have relatively low municipal, State governmental, and utility costs."

In Cross Plains, Smart Growth areas are located in two areas along Main Street: from CTH P to Hickory Street and Spring Street to the Village boundary. Redevelopment and infill development in these areas will not only be cost efficient, but it will help the Village enhance its image, character, and non-residential tax and job base.

Shapes on map represent general recommendations for future land use. Actual boundaries between different land use categories and associated zoning districts may vary somewhat from representations on this map. Please see the Village's Comprehensive Plan document for specific policies related to the land use categories shown on this map. Existing (not future) land use pattern shown for adjacent towns. Environmental Corridors depicted on this map use generalized boundaries of environmental features identified on air photos by the DNR and Dane County. Actual Environmental Corridor boundaries are to be refined through detailed on-site investigation.

Village of Cross Plains Comprehensive Plan

Map 4a: Future Land Use-Village View



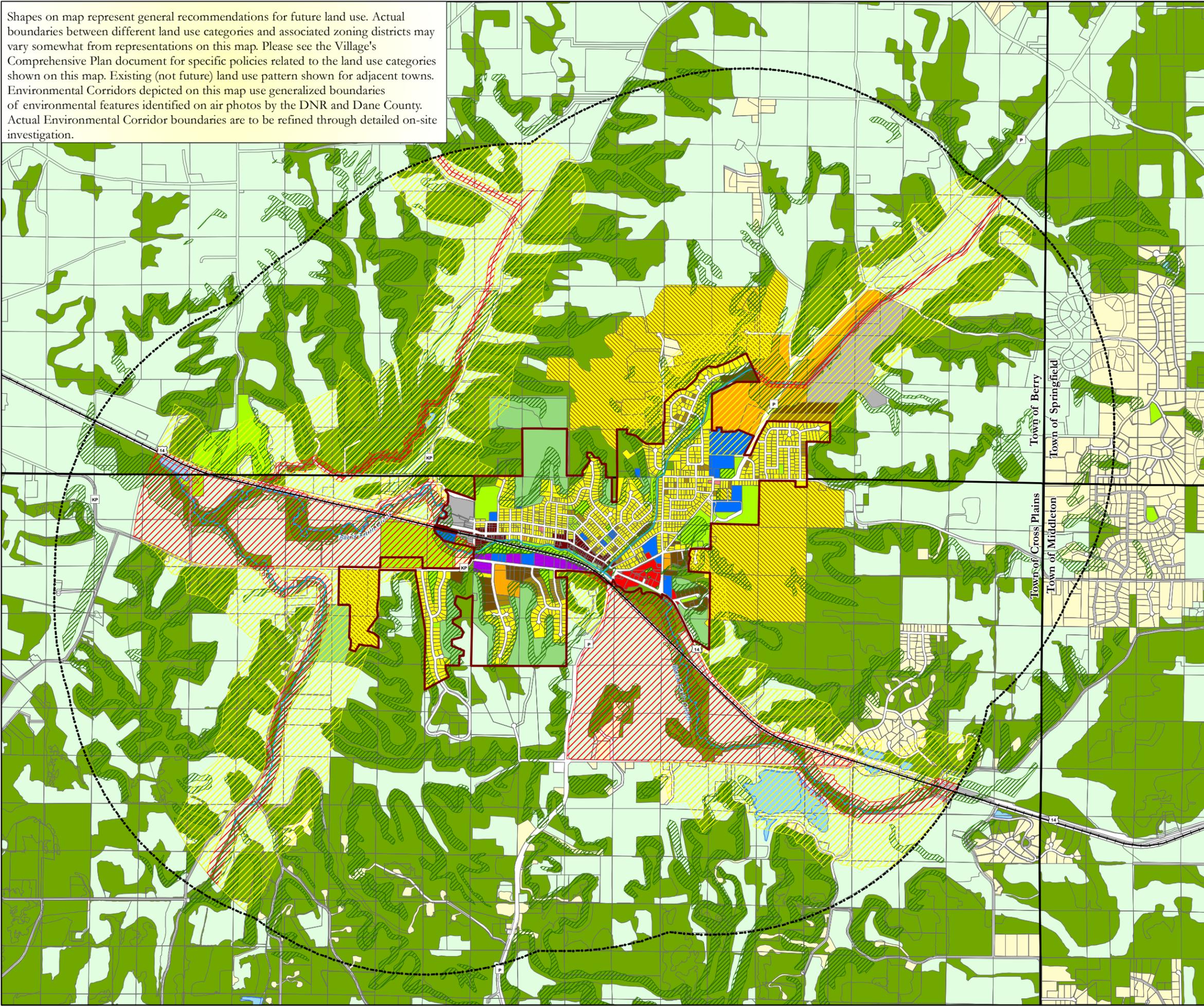
- Village of Cross Plains Boundary
- Town Boundaries
- Extraterritorial Boundary
- Parcels
- Railroads
- Surface Water
- Water Quality Corridors**
- Red Zone
- Yellow Zone
- Single Family-Exurban
- Single Family-Urban
- Two-Family/Townhouse
- Mixed Residential
- Planned Neighborhood
- 1. Single Family-Urban
 - 2. Two-Family/Townhouse
 - 3. Mixed Residential
 - 4. Community Facilities
 - 5. Office/Research
 - 6. Planned Business
 - 7. Parks
- Office/Research
- Neighborhood Business
- Planned Business
- Downtown
- Planned Mixed Use
- 1. Office/Research
 - 2. Mixed Residential
 - 3. Community Facilities
 - 4. Planned Business
- Light Industrial
- General Industrial
- Community Facilities
- Agriculture/Rural
- Parks
- Conservancy
- Woodlands
- Environmental Corridor



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Shapes on map represent general recommendations for future land use. Actual boundaries between different land use categories and associated zoning districts may vary somewhat from representations on this map. Please see the Village's Comprehensive Plan document for specific policies related to the land use categories shown on this map. Existing (not future) land use pattern shown for adjacent towns. Environmental Corridors depicted on this map use generalized boundaries of environmental features identified on air photos by the DNR and Dane County. Actual Environmental Corridor boundaries are to be refined through detailed on-site investigation.

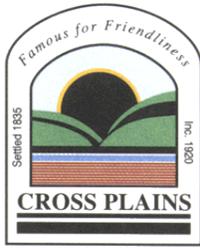
Village of Cross Plains Comprehensive Plan Map 4b: Future Land Use-ETJ View



- Village of Cross Plains Boundary
- Town Boundaries
- Extraterritorial Boundary
- Parcels
- Railroads
- Surface Water
- Water Quality Corridors**
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- Planned Business
- Downtown
- Planned Mixed Use
 - 1. Office/Research
 2. Mixed Residential
 3. Community Facilities
 4. Planned Business
- Light Industrial
- General Industrial
- Community Facilities
- Agriculture/Rural
- Parks
- Conservancy
- Woodlands/Open Space
- Environmental Corridor



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Village of Cross Plains
PO Box 97, 2417 Brewery Road
Cross Plains, WI 53528
Phone: (608) 798-3241
Fax: (608) 798-3817

Memorandum

To: Veridian Homes
From: Matthew G. Schuenke, Village Administrator/Clerk-Treasurer
Date: December 17, 2015
Re: **Buechner Property** – *Development Timeline*

Executive Summary

The following schedule is established in order to conform to the requirements of Chapter 82 for Annexations and meet the Developer’s expectations for completing the development review in an efficient manner. There are three phases to this process including (1) Pre-Annexation Agreement; (2) Preliminary Procedures; (3) Development Proposal; (4) Annexation Ordinance; and (5) Land Division. Please the following regarding the proposed timeline for Development Review to work through these phases as is required.

Phase 1 – Pre-Annexation Agreement (Section 82.05) COMPLETE

Phase 2 – Preliminary Procedures (Section 82.03)

There are three items in order to fulfill the requirements of the Preliminary Procedures: (a) Statutory Procedure for Annexation; (b) Development Plan; and (c) Financial Analysis. The first item is addressed by both the Developer and Village based on the property to be annexed, and the third item is a responsibility of the Village. The Developer is solely responsible for preparing the requirements of (1) – (8) in Item (b) as the Development Plan.

- ~~October 13, 2015 – Draft Development Plan submitted for Staff Review.~~
- ~~October 15, 2015 – The first meeting with Village Staff to review the draft Development Plan submitted. Comments were provided and will be addressed by Developer. Next full Staff Meeting scheduled for November 19th.~~
- ~~November 11, 2015 – Meeting between Matt, Jeff, and Dan to discuss property acquisition, stormwater, and property survey.~~
- ~~November 17, 2015 – Second draft of Development Plan submitted for Staff Review.~~
- ~~November 19, 2015 – The second meeting with Village Staff to review the draft Development Plan submitted. Comments were provided and will be addressed by Developer. Next full Staff Meeting scheduled for December 2nd.~~
- ~~November 30, 2015 – Third draft of Development Plan submitted for Staff Review.~~
- ~~December 2, 2015 – The third meeting with Village Staff to review the draft Development Plan submitted. Comments were provided and will be addressed by Developer. Developer will also prepare cover letter to satisfy requirements of Subsection (a) on Statutory Procedures. Village will prepare review of Annexation Factors (Section 82.04) for next meeting and Financial Analysis (Subsection (c)). Next full Staff Meeting scheduled for December 17th at 10:30 am.~~

- ~~December 16, 2015 – Final draft of Statutory Procedures letter (Subsection (a)) and Development Plan (Subsection (b)) submitted for Staff Review.~~
- ~~December 17, 2015 – The fourth meeting with Village Staff to review the Development Plan submitted. Final comments were provided and will be addressed by Developer. Village will prepare review of Annexation Factors (Section 82.04) and Financial Analysis (Subsection (c)) for submittal to Plan Commission.~~
- December 17, 2015 – Village will provide Financial Analysis (Subsection(c)) and review of Annexation Factors (Section 82.03) to Developer and Staff for review. The Financial Analysis will be combined with the Developer submittal to complete the Preliminary Procedures requirements. The review of Annexation Factors will be partnered with the Preliminary Procedures to complete the Development Proposal to be reviewed by all in preparation for final submittal to Plan Commission.
- December 30, 2015 – Final submittal of the Development Proposal by the Developer and Village as is appropriate and/or necessary. All final revisions and comments from last meeting will have been addressed. Assuming there are no outstanding issues at this point, then the Development Proposal shall move onto the Plan Commission.

Phase 3

(A) *Development Proposal* – This constitutes the Preliminary Procedures (Section 82.03) and Annexation Factors (Section 82.04) that are to be completed as of December 30th. The Plan Commission will conduct its review of the Proposal and make a recommendation to the Village Board. The Village Board will consider the Plan Commission’s recommendation in order to make a determination on the annexation as outlined in the Proposal.

- January 4, 2016 – This will be the first meeting of the Plan Commission to consider a recommendation on the Proposal. All public meetings are held at 7:00 pm unless otherwise stated. There is not a public hearing required at this stage in the process but general public comment should be expected.
- January 18, 2016 – This is the second proposed meeting of the Plan Commission should they need another meeting in order to make their recommendation.
- January 25, 2016 – The Village Board will take up the recommendation of the Plan Commission, conduct its review, and take action on the Proposal. If the Proposal is approved, this will serve as the Village Board’s determination that the annexation should be approved.

(B) *USA Amendment* – It is more typical to submit a USA Amendment after the Annexation Ordinance has been approved; however, this is for a boundary line adjustment and we would not have enough time to complete this task if we waited till that point. The following schedule is subject to change following contact with involved parties, but is based on a schedule discussed with DNR and CARPC at a meeting held December 16, 2015.

- ~~December 16, 2015 – Preliminary meeting to discuss proposed project with CARPC and DNR Staff.~~

- January 15, 2016 – Preliminary Urban Service Area Amendment (USAA) Application submitted by Village to CARPC for initial review.
- February 15, 2016 – Comments/Questions on the USAA Application are returned by CARPC to the Village for follow-up.
- February 29, 2016 – Final USAA Application submitted by Village to CARPC as response to comments/questions.
- March 14, 2016 – Public Hearing notice posted.
- April 1, 2016 – Final CARPC Staff analysis complete.
- April 14, 2016 – Public Hearing and Final Action on Recommendation by CARPC.
- April 21, 2016 – Application materials and CARPC recommendation forwarded to DNR for consideration.
- May 6, 2016 – DNR issues Administrative Decision on USA Amendment.

Phase 4 – Annexation Ordinance (Section 82.07)

The final step in the Annexation process is the consideration for an Annexation Ordinance. The Ordinance will likely include several contingencies before it can be made effective. This is outlined in Section 82.07 with the effectiveness of the annexation code. Your petition for annexation will also fall within this phase as it triggers the Village's need to respond with the ordinance all of which is prepared according to the Proposal that will be approved near the outset of this process.

- January 13, 2016 – The Village Attorney will prepare a draft Ordinance for distribution to and consideration by the Developer and Village Staff. The Village Board's acceptance of the Development Proposal shall be its determination that an annexation should be approved in accordance with Statutes. With the Proposal set for consideration on January 25th, this will allow for the board to proceed with the adoption of annexation ordinance with contingencies as follows (details under Land Division Phase):
 - Dedication Requirements – Map used during property acquisition discussion should be acceptable as an exhibit to satisfy this requirement.
 - Establish Zoning – Land Use map from Proposal should be acceptable as an exhibit to satisfy this requirement.
 - USA Amendment – Phase 3(B)
 - Preliminary Plat – Phase 5(A)
 - Final Plat – Phase 5(B)
 - Development Agreement – Phase 5(C)
- January 14, 2016 – First run of Class II Notice for February 1st Plan Commission meeting.
- January 20, 2016 – Staff Meeting to discuss proposed Ordinance drafted by Village Attorney as needed. Also will provide an opportunity for final issues on the Development Proposal. Assuming there are no outstanding issues with the draft ordinance, then it will go to the next Plan Commission meeting after the Annexation Petition has been filed.
- January 21, 2016 – Second and final run of Class II Notice for February 1st Plan Commission meeting.
- January 25, 2016 – Village Board approves Development Proposal. Phase 3(A).

- January 29, 2016 – Assuming the Development Proposal has been approved, then the Annexation Petition can be filed at any time. This date represents the last possible date to file in order for the Ordinance to be on the next Plan Commission meeting.
- February 1, 2016 – This will be the first meeting with the Plan Commission regarding the draft Annexation Ordinance with contingencies as previously drafted/discussed by Developer and Village Staff. Plan Commission will hold a public hearing (Class II Notice), conduct its review, and make a recommendation to the Village Board.
- February 22, 2016 – The Village Board will take up the recommendation of the Plan Commission and take action on the Ordinance as presented. The Ordinance will be effective upon the successful completion of all contingencies adopted.

Phase 5 – Land Division (Chapter 83)

In order to complete the various steps remaining following Ordinance approval, it will be necessary to overlap the various reviews to be conducted by Village Staff, Plan Commission, and Village Board. As the Plan Commission and Village Board are working on their review of various issues, the Developer and Staff will be preparing the next item for consideration. Please note the following contingencies required through the Annexation Ordinance:

(A) Preliminary Plat – Requirements defined under Section 83.33-83.41 of the Village Code.

- January 13, 2016 – First draft of Preliminary Plat submitted for Staff Review. May be incomplete with remainder of the information to be provided with future submittals.
- January 20, 2016 – The first meeting with Village Staff to review the draft Preliminary Plat submitted.
- February 1, 2016 – Second draft of Preliminary Plat submitted for Staff Review.
- February 3, 2016 – The second meeting with Village Staff to review the draft Preliminary Plat submitted.
- February 15, 2016 – Developer will provide final draft of Preliminary Plat to Village for Staff Review.
- February 17, 2016 – The final meeting with Village Staff to review the final draft for the Preliminary Plat. Comments provided in the meeting will be addressed by the Developer as directed by the discussion.
- February 24, 2016 – Final submittal of the Preliminary Plat with all final revisions and comments from the last meeting addressed. Assuming there are no outstanding issues at this point, then the Preliminary Plat shall move onto the Plan Commission.
- March 7, 2016 – This will be the first meeting of the Plan Commission to consider a recommendation on the Preliminary Plat.
- March 28, 2016 – The Village Board will take up the recommendation of the Plan Commission, conduct its review, and take action on the Preliminary Plat.

(B) Final Plat – Requirements defined under Section 83.45-83.52 of the Village Code.

- February 15, 2016 – First draft of Final Plat submitted for Staff Review. May be incomplete with remainder of the information to be provided with future submittals.

- February 17, 2016 – The first meeting with Village Staff to review the draft Final Plat submitted.
- February 29, 2016 – Second draft of Preliminary Plat submitted for Staff Review.
- March 2, 2016 – The second meeting with Village Staff to review the draft Preliminary Plat submitted. Also will provide an opportunity for final issues on the Preliminary Plat scheduled for consideration by the Plan Commission on March 7th.
- March 14, 2016 – Developer will provide final draft of Preliminary Plat to Village for Staff Review.
- March 16, 2016 – The final meeting with Village Staff to review the final draft for the Preliminary Plat. Comments provided in the meeting will be addressed by the Developer as directed by the discussion.
- March 23, 2016 – Final submittal of the Final Plat with all revisions and comments from the last meeting addressed. Assuming there are no outstanding issues at this point, then the Final Plat shall move onto the Plan Commission.
- April 4, 2016 – This will be the first meeting of the Plan Commission to consider a recommendation on the Final Plat.
- April 25, 2016 – The Village Board will take up the recommendation of the Plan Commission, conduct its review, and take action on the Final Plat.

(C) *Development Agreement (Section 83.11)* – This will be prepared by the Village Attorney to memorialize and finalize the approvals for the project overall. Review of this document will likely not need meetings with the entire Village Staff. At a minimum will include Village Administrator, Village Attorney, Developer, and Developer’s Attorney. Other individuals can be consulted as needed but this step is typically a formality to put all actions taken on the official record.

- April 1, 2016 – First draft of Development Agreement submitted from Village to Developer for review. A month of lead time is forecasted to review these types of documents, but more can be provided if need be. No other meetings with Staff are projected but can be scheduled upon request by either party.
- May 2, 2016 – This will be the first meeting of the Plan Commission to consider a recommendation on the Development Agreement.
- May 23, 2016 – The Village Board will take up the recommendation of the Plan Commission, conduct its review, and take action on the Development Agreement.

Village will consider combining Final Plat and Development Agreement Phases of the process once the Preliminary Plat has been submitted to Plan Commission (~February 24th).

Village Staff will continue to monitor timeline through the different phases of work and will provide updates at the completion of each milestone. Times and dates are subject to change as needed in order to move the project forward. Please be advised some topics may not be completed in one public meeting (i.e. – Village Board, Plan Commission, etc.) Adjustments may be needed also throughout the process to accommodate the different review authorities in order for them to fulfill their responsibilities.

**VILLAGE OF CROSS PLAINS
ORDINANCE NO. 01-2016**

**AN ORDINANCE TO AMEND AND CREATE SECTIONS OF THE VILLAGE
OF CROSS PLAINS ZONING CODE**

The Village Board of the Village of Cross Plains, Dane County, Wisconsin, does hereby ordain as follows:

1. The tables set forth in Subsection (g) of Sections 84.26, 84.27, 84.28, 84.29, 84.30, 84.31, 84.32, 84.33, 84.35, and 84.36 of the Village Zoning Code are hereby amended to now read as follows:
 - (g) **Minimum Pavement Setback (lot line to pavement, excludes driveway entrances).** 3 feet from side, or 0 feet for shared driveway; 10 feet from right of way or rear.
2. Section 84.65(g)(5)(b) of the Village of Cross Plains Zoning Code is created to read as follows:
 - (b) All Other Residential Accessory Structures shall be set back a minimum of five (5) feet from the property line.
3. **Severability.** If any portion of this Ordinance or its application on any person or circumstances is held invalid, the validity of this Ordinance as a whole or any other provision herein or its application shall not be affected.
4. **Effective Date.** The effective date of this Ordinance will be upon passage and posting.

VILLAGE OF CROSS PLAINS:

ATTEST:

By: _____

J. Patrick Andreoni
Village President

By: _____

Matthew G. Schuenke
Village Administrator/Clerk-Treasurer

VOTE:

Yes: _____ No: _____

Public Hearing Held: _____ Plan Commission Meeting Held: _____

Ordinance Adopted: _____ Ordinance Published or Posted: _____

VILLAGE OF CROSS PLAINS

2417 Brewery Road
Cross Plains, WI 53528
(608) 798-3241

Plan Commission – Public Hearing Notice

Notice is hereby given that a public hearing will be held at the Village Hall located at 2417 Brewery Road, Cross Plains, WI 53528 at 7:00 pm on January 4, 2016 before the Plan Commission regarding the following items:

1. Proposed Ordinance #01-2016 amending Subsection (g) of Section 84.26, 84.27, 84.28, 84.29, 84.30, 84.31, 84.32, 84.33, 84.34, 84.35, and 84.36 reducing the minimum pavement setback from five (5) to three (3) feet; and creating Section 84.65(g)(5)(b) establishing five (5) feet as the setback for all other residential accessory structures.

Dated this 17th and 24th day of December, 2015.



Matthew G. Schuenke
Administrator/Clerk-Treasurer