



To: Town of Mazomanie Board and Plan Commission  
From: Mark Roffers, Town Planner  
Date: October 29, 2024  
Re: Potential Comprehensive Plan Changes and Adoption

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The Town has been engaged in an update to its Comprehensive Plan since fall 2023. The update consists of the required 10-year rewrite of the Town’s 2014 Plan. The current August public hearing draft version of the Plan update is located on the [Town’s website](#).

On October 10<sup>th</sup>, the Town conducted a joint Plan Commission/Town Board public hearing on the draft Plan update. Approximately 50 residents attended the hearing, and several attendees shared their testimony and that of others who could not attend. All comments concerned the proposal to map and describe “Neighborhood Development Areas,” and most expressed opposition or concern for the concept in its then-current form. The concerns focused on the sizes of the proposed Neighborhood Development Areas on the proposed Future Land Use map; their expected impacts on traffic, existing housing and septic systems and rural character; the proposed development rights transfer ratio to build within Neighborhood Development Areas; and the possibility of impactful commercial uses locating within them.

After the hearing, I presented and the Commission and Board discussed five options on how the Neighborhood Development Area concept could be approached before the Commission and Board would act on the updated Comprehensive Plan. The exhibit I used that evening, titled “Options for Neighborhood Development Areas” is attached. Prior to postponing action, members expressed interest in further exploring Option 4, and asked me to flesh this option out before a subsequent meeting.

The next two attachments to this memo—titled “Potential Changes to Map 1—Future Land Use (10/29/24)” and “Figure 1.3.3: ‘Neighborhood Development Area’ Future Land Use Category” with the same date detail changes to the Plan to implement Option 4.

The three pages of the “Potential Changes to Map 1” document zoom in on the gold Neighborhood Development Areas depicted on the August public hearing version of the Future Land Use map in the draft Comprehensive Plan. The smaller and fewer areas that I outlined in blue on these three map pages would be the revised/reduced Neighborhood Development Areas on an amended Map 1, if Option 4 is pursued. These focus on existing subdivisions and

lot clusters that are already zoned and used mainly for housing. The rest of the August-proposed Neighborhood Development Areas, not outlined in blue, would revert to Farmland Preservation Areas once again. These include areas with little to no existing development, wet or sloped lands, and roadway challenges (e.g., Y/78 intersection). This proposed approach has the added benefit of aiding the Town in meeting a State farmland preservation rule that at least 80% of land in the planned Farmland Preservation Area must be zoned in a farmland preservation zoning district (e.g., FP-1, FP-35).

Figure 1.3.1 is intended to describe permitted uses, density, lot sizes, and policies for lands mapped in the Neighborhood Development Area. The proposed underlined amendments go along with the Option 4 Map 1 proposal that places little undeveloped land within the Neighborhood Development Area. The idea is that owners of other land, not so designated at time of updated Plan adoption, could in upcoming years apply to have their land added to the Neighborhood Development Area. Figure 1.3.1 includes criteria that the Town would use to evaluate the wisdom of each such future request. Other proposed changes in Figure 1.3.1 are intended to address other concerns voiced at the public hearing.

In sum, this proposed approach leaves the Neighborhood Development Area concept in the Plan (with amendments), but puts the onus on future interested owners of larger undeveloped land to show that such land belongs in the Neighborhood Development Area based on defined criteria. It also reduces the pressure for the Town to quickly adopt a subdivision ordinance to accommodate any potential future subdivision proposals.

The final attachments to this memo are the proposed Plan Commission recommending resolution and Town Board approval ordinance, both currently crafted to support Plan adoption with the “Option 4” changes. If the Commission and Board support the updated Plan with these changes, each could adopt its resolution or ordinance as presented.

I will be at your Monday evening meetings to work through this information further and to answer any questions.

Attachments:

Options for Neighborhood Development Areas (10/10/24)

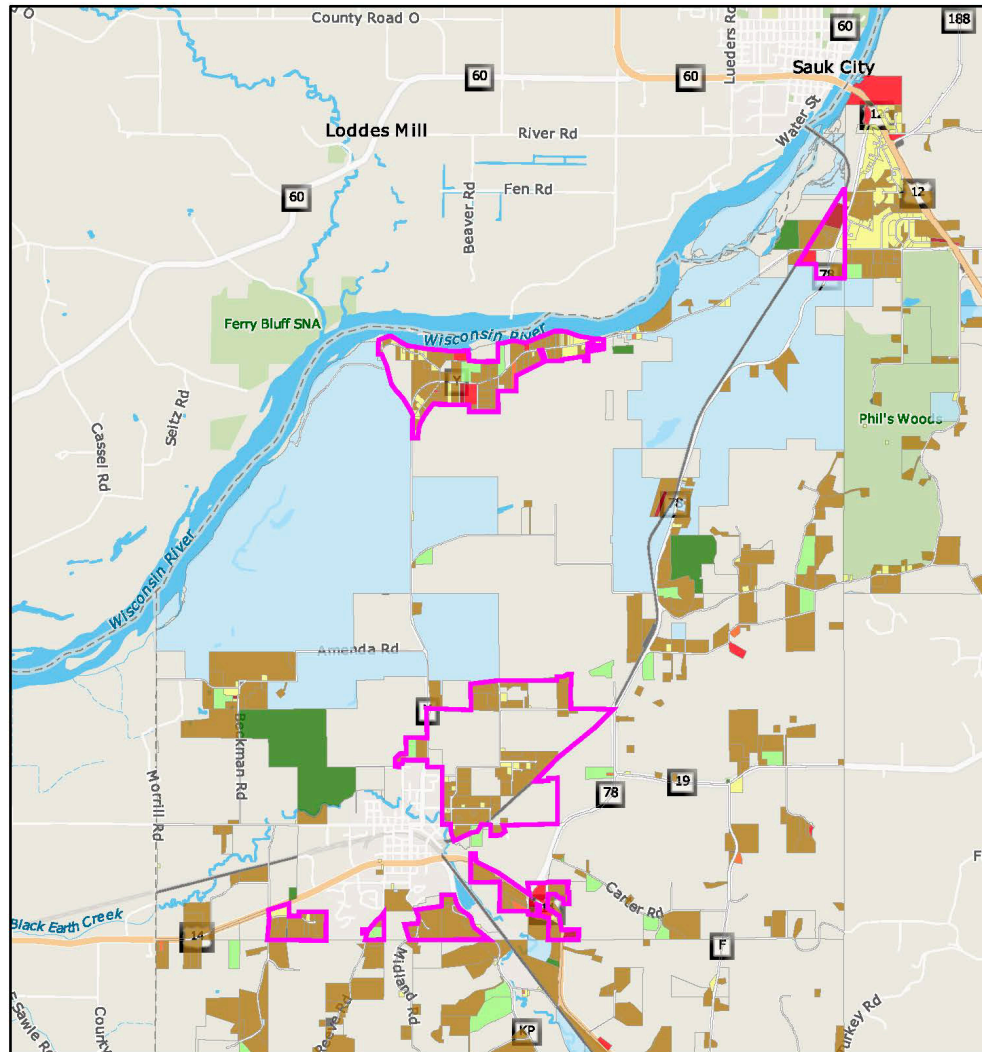
Potential Changes to Map 1—Future Land Use (10/29/24)

Figure 1.3.3: ‘Neighborhood Development Area’ Future Land Use Category, Oct. 29, 2024

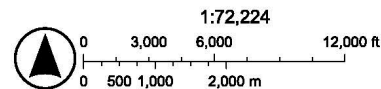
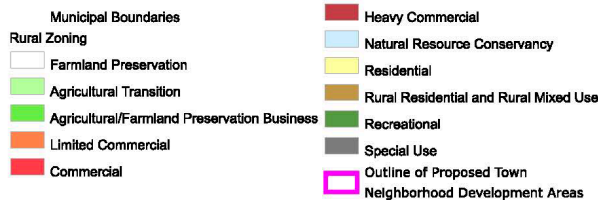
Plan Commission resolution to recommend updated Comprehensive Plan

Town Board ordinance to approve updated Comprehensive Plan

## Town of Mazomanie Zoning and Neighborhood Development Areas



10/10/2024, 8:53:26 AM



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

10/10/24

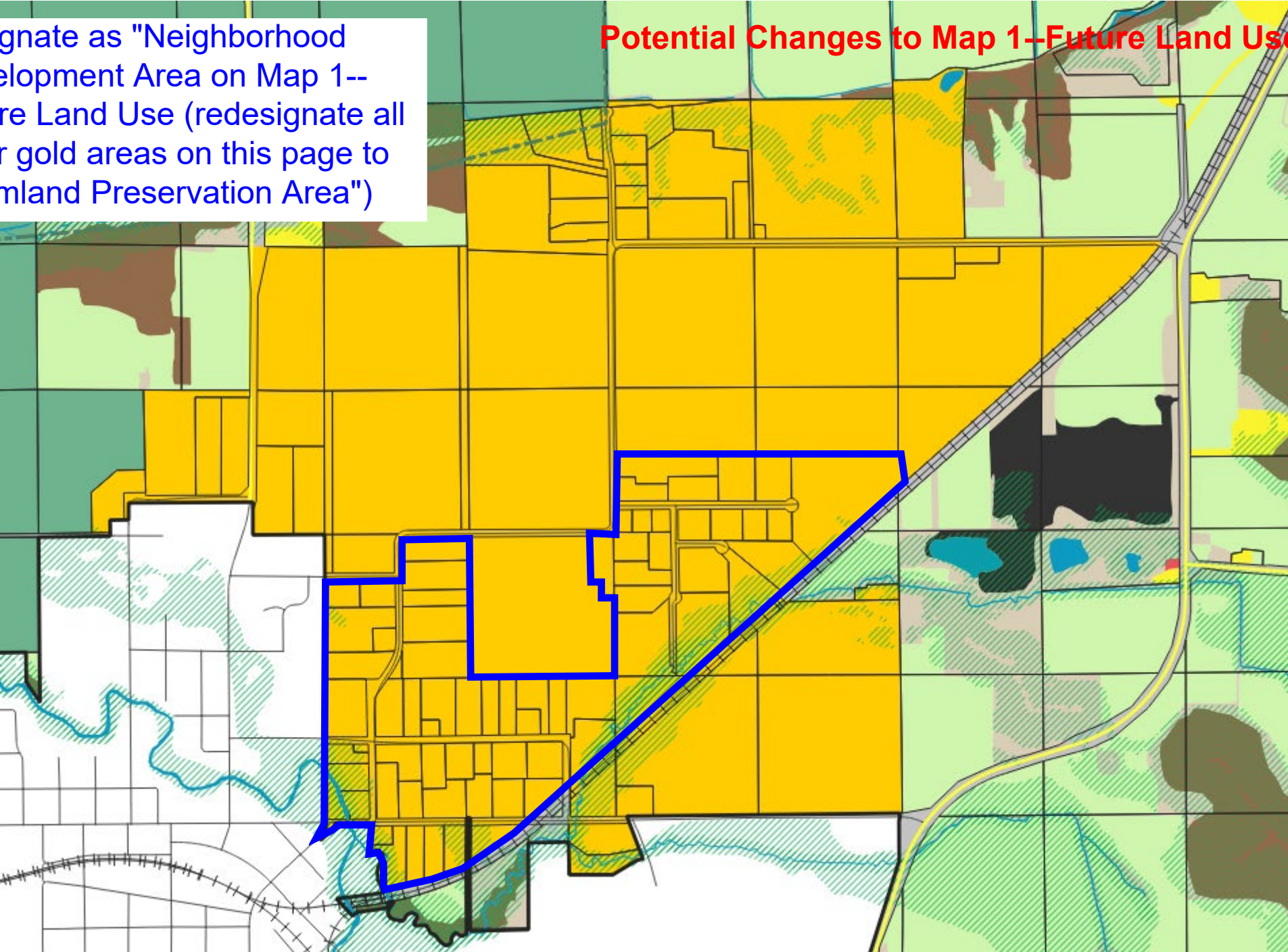
## Options for Neighborhood Development Areas (NDAs):

1. Adopt as proposed.
2. Adopt with minor adjustments (e.g., adjust transfer ratio, minimum lot sizes).
3. Do 1 or 2, but also reduce the mapping of NDAs to be over existing residentially zoned areas plus perhaps other parcels with known landowner interest and the right other criteria (e.g., contiguity to zoned areas). Instead, Plan could include criteria for how other parcels in Town might be mapped as NDAs in future. Could be similar criteria used for map proposal.
4. Keep NDAs only over existing residentially zoned areas, like existing subdivisions and riverfront corridor. Would help with farmland preservation compliance, in which at least 80% of land planned for farmland preservation must be zoned for farmland preservation.
5. Remove NDA concept entirely from new Plan.

Potential Changes to Map 1--Future Land Use (10/29/24)



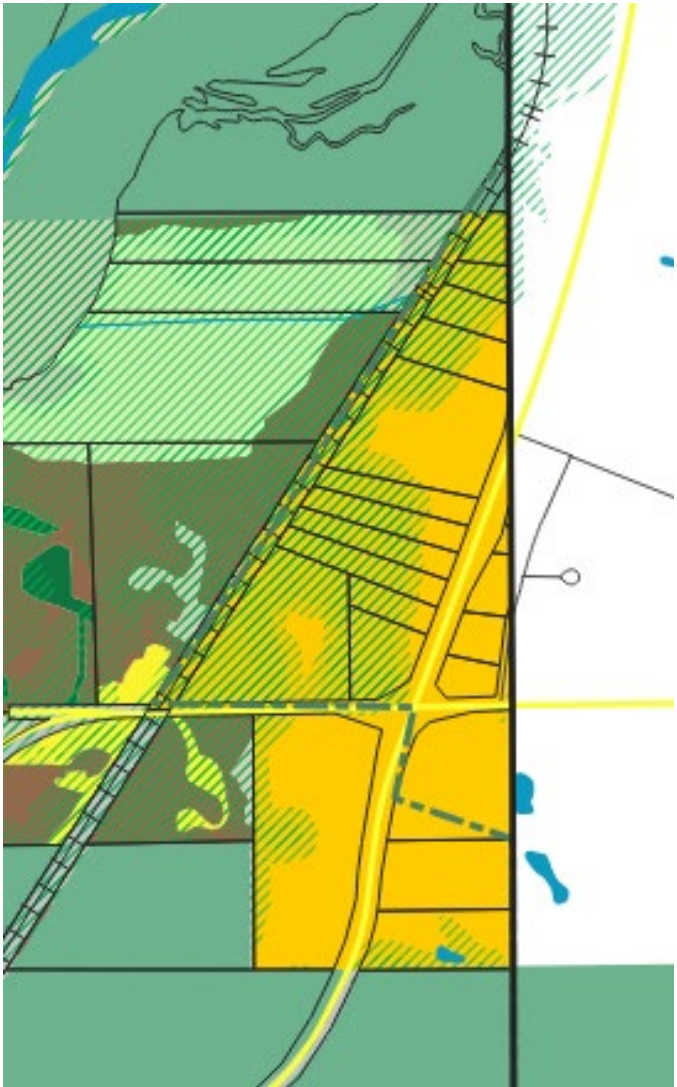
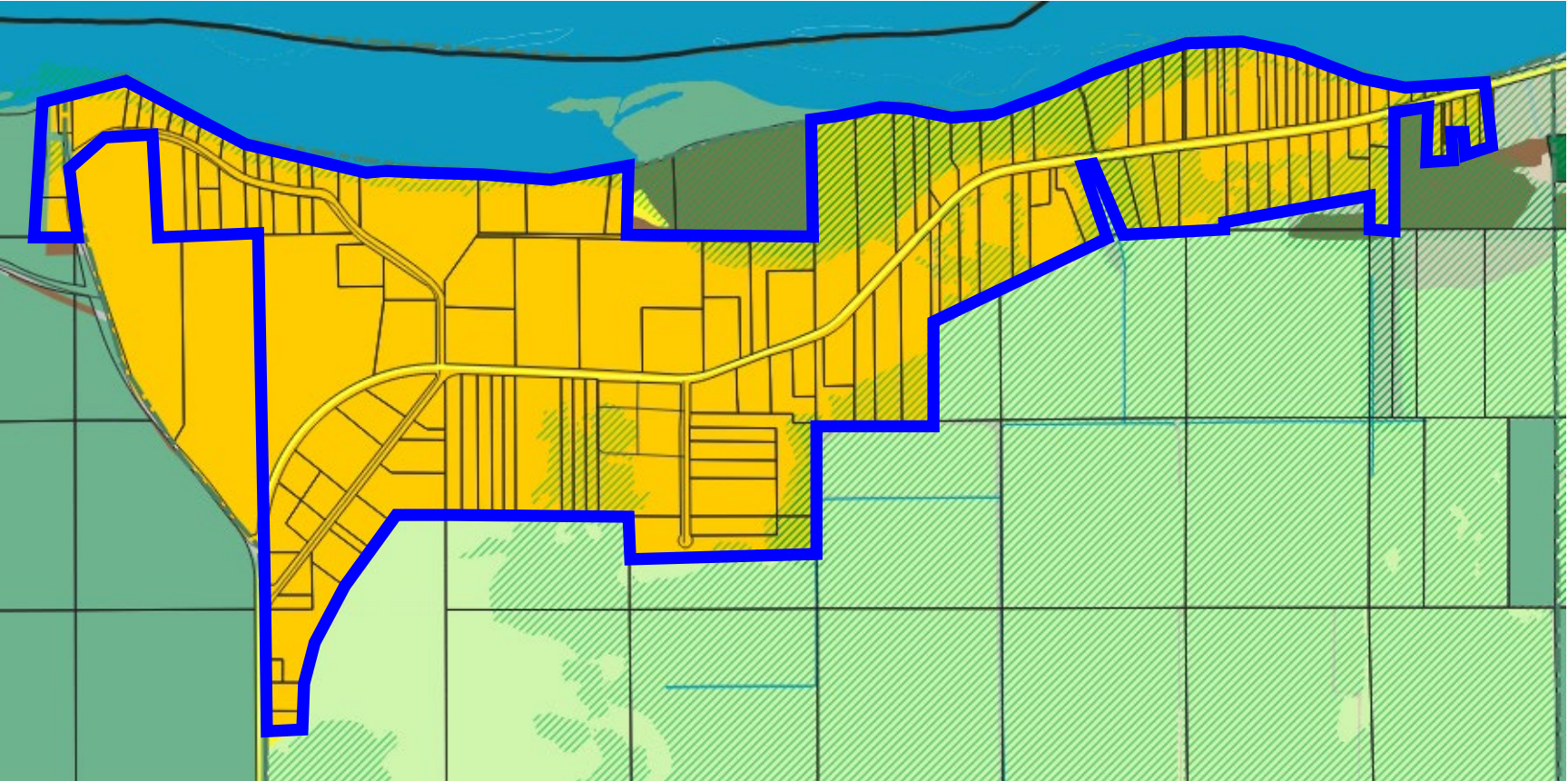
Designate as "Neighborhood Development Area on Map 1-- Future Land Use (redesignate all other gold areas on this page to "Farmland Preservation Area")



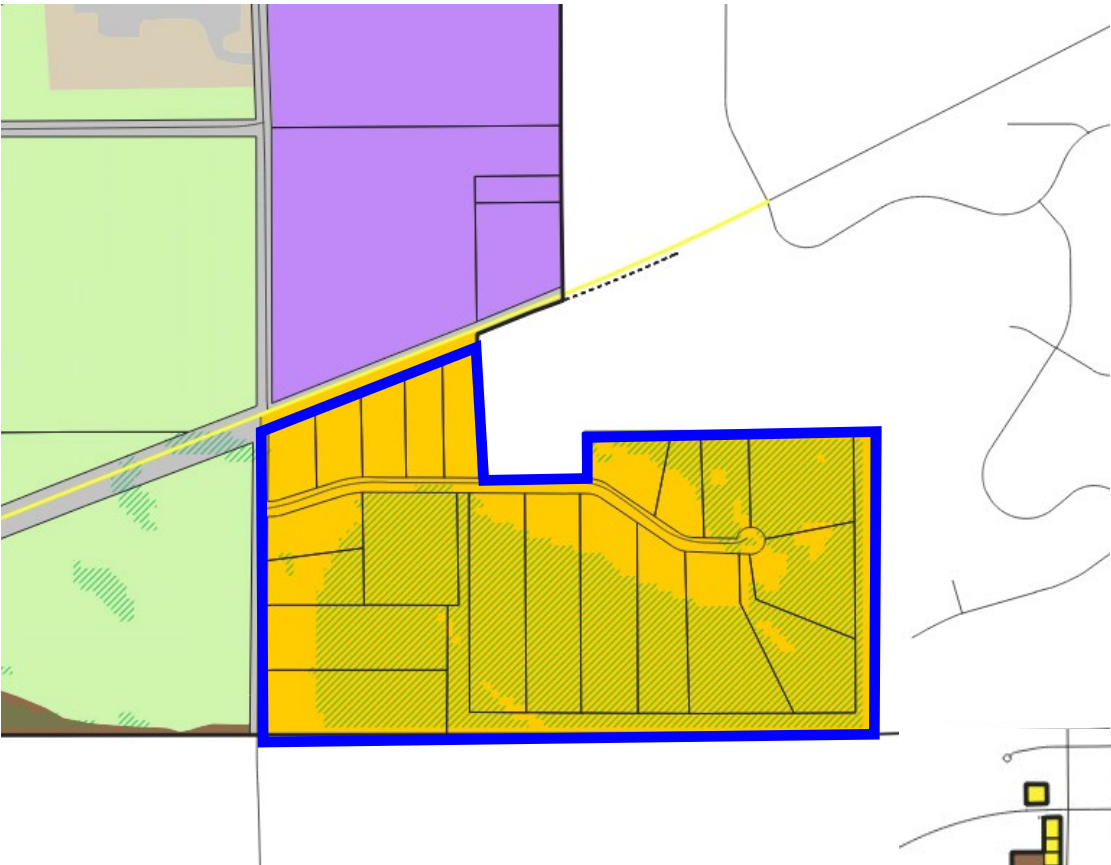
**Potential Changes to Map 1--Future Land Use (10/29/24)**



Designate as "Neighborhood Development Area" on Map 1--Future Land Use (redesignate all other gold areas on this page to "Farmland Preservation Area")



Potential Changes to Map 1--Future Land Use (10/29/24)



Designate as "Neighborhood Development Area on Map 1--Future Land Use (redesignate all other gold areas on this page to "Farmland Preservation Area")

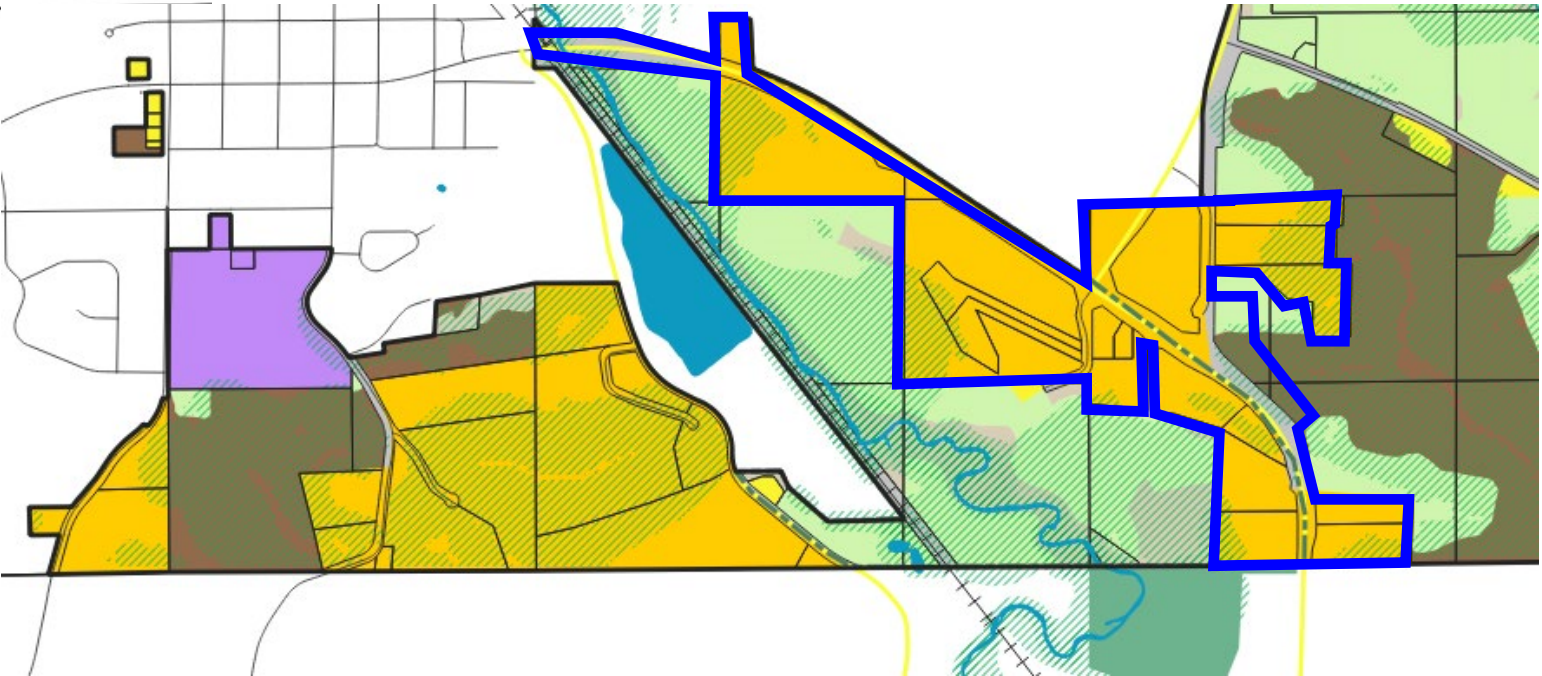


Figure I.3.3: “Neighborhood Development Area” Future Land Use Category (two-page figure)

Purpose	
<ul style="list-style-type: none"> <li>Map Neighborhood Development Area in <u>limited areas shown on Map I as a means to help ensure the long-term fiscal viability of the Town and provide planned areas for modest, compatible new development, using the following criteria: over and near pre-existing development areas in and near the Town; away from significant natural resources, environmentally sensitive areas (e.g., steep slopes), and incompatible land uses (e.g., mineral extraction operations, former landfills); with recognition of the plans of others including the Village of Mazomanie; and where there is sufficient land owner interest or minimal objection.</u></li> <li>Promote sustainable development by encouraging infill <u>around near</u> existing development and incorporating principles of conservation neighborhood design.</li> <li>Provide opportunities for a range of single-family housing choices, including estate and affordable single family housing.</li> <li>Enable limited commercial, institutional, and two-family residential uses.</li> </ul>	
Typical Implementing Zoning Districts	New Lot Sizes
<p><del>SFR-08 and</del> SFR-I Single-Family Residential and HAM-R Hamlet Residential are typical.</p> <p>HAM-M Hamlet Mixed Use, LC Limited Commercial, <u>and TFR-08 Two-Family Residential, and MFR-08 Multi-Family Residential</u> may be used on a limited basis for neighborhood-serving commercial, institutional, and <u>higher density duplex</u> residential sites <u>where compatible with nearby land uses and densities.</u></p> <p>Other commercial zoning districts, such as GC General Commercial and HC Highway Commercial, may be utilized on an <u>even more</u> limited basis where mitigating factors such as distance from existing housing <u>is considered and/or</u> use/impact restrictions are recorded <u>with the rezoning.</u></p>	<p>Minimum lot size <u>for all new lots</u> is <u>generally</u> 1 acre, <u>though the Town Board may allow lots as small as 20,000 square feet provided that soil tests determine that the lot is suitable for an on-site waste treatment system (holding tanks not allowed); steeper slopes or other limiting features are not present; and/or the lot is intended for commercial, institutional, and two-family residential uses.</u></p> <p>Maximum <u>new</u> lot size is 5 acres, except to the minimum greater size necessary due to unusual land configuration; to better protect farmland; for commercial <u>and</u>; institutional, <u>and two- and multi-family residential</u> uses; and/or to enhance rural or scenic character, as determined by the Town Board.</p>
Development Policies for Neighborhood Development Area	
<ol style="list-style-type: none"> <li><u>No subdivision plat, and no rezoning preceding an anticipated plat, shall be approved within any Neighborhood Development Area until and unless the Town adopts a subdivision ordinance pursuant to §236.45, Wisconsin Statutes.</u></li> <li><u>The Town Board, following a Plan Commission recommendation, will use the following criteria in its consideration of requested amendments to this Comprehensive Plan to designate land to the Neighborhood Development Area:</u> <ol style="list-style-type: none"> <li><u>Plan amendment process follows the associated procedure in Chapter 1.8 of this Comprehensive Plan.</u></li> <li><u>Plan amendment is consistent with the vision, goals, and objectives of this Comprehensive Plan; applicable Town ordinances; and any intergovernmental agreements to which the Town is a party.</u></li> <li><u>Request is accompanied by a conceptual development plan (map and narrative) that (i) generally indicates how the applicant intends to develop the land and (ii) compares favorably to “Development Design Standards” below and to applicable Town and County ordinances.</u></li> <li><u>Applicant demonstrates reasonable expectations that (i) there is adequate demand for the proposed land uses, (ii) sufficient development rights can be acquired for the proposal (see “Relationship to Town’s TDR Program” section below), and (iii) sanitary waste treatment and water supply can be safely and effectively provided.</u></li> <li><u>Proposal will promote an orderly, sequential pattern of land development to ensure that public services and roads are adequate to safely and effectively serve the proposed development. If such public services or roads are currently unavailable or inadequate, there should be a viable plan, funding approach, and expected timing for improvements necessary to serve the proposed development.</u></li> <li><u>Land is near pre-existing, compatible development and away from incompatible land uses. For example, where such lands are proposed for new housing, they should generally be away from mineral extraction operations and former landfills. Where such lands are proposed for intensive commercial development, they should generally be away from pre-existing housing.</u></li> <li><u>Land is predominately outside of the Resource Protection Corridor on Map I, and where the Resource Protection Corridor extends over some of the land the conceptual development plan has viable methods to protect underlying natural features.</u></li> </ol> </li> <li><u>Designation of lands in the Neighborhood Development Area on Map I—Future Land Use does not imply that an area is immediately appropriate for rezoning or guarantee that that area will develop or is even buildable. There may be challenges to building, including soil limitations and other environmental constraints.</u></li> <li><u>For all lands designated as Neighborhood Development Area near Town/Village limits, consider pursuing an intergovernmental boundary agreement or cooperative boundary plan with the Village to further determine the type, timing, jurisdiction, services, and other aspects of future development.</u></li> <li><u>Direct the building construction and land disturbance outside of the Resource Protection Corridor on Map I, and to locations that support the safe construction of on-site waste treatment systems unless public sewer service is extended to the area.</u></li> </ol>	

- 4.6. Meet Town driveway ordinance requirements and permit safe access by fire trucks, ambulances, and any other emergency vehicles. The Town Board or Plan Commission may require notification of the Fire Chief or other emergency service provider, as well as require their approval of any driveway configuration.
- 5.7. Jointly work with the Wisconsin Department of Transportation, the Dane County Highway and Transportation Department, and developers to ensure that adequate rights-of-way for future roadway expansions and extensions are provided and that proper controls on vehicle access (especially the number, design and location of access driveways and intersecting local roadways) are provided. Shared driveways or frontage road access may be required.
- 6.8. Residentially zoned parcels prior to **[insert Town Board adoption date of new Plan once adopted]** are eligible for home construction ~~and potential further division~~, provided that each such parcel was legally established, all applicable County and Town ordinance requirements are met, and any such divided lot is compatible in lot area and width as nearby lots. Such home construction ~~and division~~ is not subject to the TDR requirements that are described below. By extension, such parcels do not have development rights for transfer, ~~and development rights may not be transferred to these parcels.~~

### Development Design Standards

1. Encourage the following conservation neighborhood design standards in the development of new residential subdivisions ~~(extends to next page)~~:
  - a. Minimize visibility of development from main roads through natural topography, vegetation (e.g., tree lines, wooded edges), and setbacks. Minimize placement of lots in open fields.
  - b. Back lots onto County, State, and federal highways, designing deeper lots and landscape bufferyards into these areas.
  - c. Preserve mature trees and tree lines wherever possible.
  - d. Include an interconnected network of streets meeting Town road standards.
  - e. Design streets and lot layouts to blend with natural land contours.
  - f. Limit cul-de-sacs except where topography, environmentally sensitive areas, or the pre-existing development pattern in the area necessitates their use.
  - g. Integrate natural resources into the subdivision design as aesthetic and conservation landscape elements.
  - h. Restore the quality and continuity of degraded environmental areas within the subdivision, such as streams and wetlands.
  - i. Encourage stormwater management treatment systems that focus on overland transfer, natural landscaping to increase infiltration and reduce runoff, bio-infiltration systems, and maximum impervious surface ratios for development sites.
  - j. Provide vegetative buffers of at least 75 feet between building sites and wetlands and water bodies.
  - k. Maximize common open space in the neighborhood through public dedication and/or private management through a homeowner's association with conservation easements.
  - l. Create pedestrian trails through open space areas, allowing for future connections to State and County trails and to other parcels and parts of the Town.
  - m. Design new homes to meet Energy Star standards or otherwise incorporate specific energy efficiency techniques into the development.
2. Parts of the Neighborhood Development Area, particularly near crossroads and in other locations with heavier traffic, may be appropriate for a limited range of commercial service, retail, office, institutional, and other non-residential uses, subject to the following standards:
  - a. Require submittal and review of conceptual site and building plans with each application for rezoning or conditional use permit approval,
  - b. Preserve and present attractive views to and from Highways 14, 19, 78, Y, and F.
  - c. Require developments to address off-site traffic, environmental, and neighborhood impacts. [Intensive non-residential zoning districts and uses may not be appropriate close to pre-existing housing.](#)
  - d. If the business requires levels of service or roads greater than what the Town can provide, the proposal will have to be modified, it may be rejected, or it may be required to fund required service or road improvements.
  - e. As necessary, apply appropriate limitations preventing unacceptable future commercial or industrial uses (or conditions such as outdoor storage) on an approved development site through a deed restriction.
  - f. Do not permit parking or storage of vehicles within the public road easement or right-of-way.
  - g. If the business is located within 100 feet of a dwelling on a nearby lot or a residential zoning district, buffer the side of the business site facing the residence.
  - h. Assure that development provides access and an attractive rear yard appearance to existing and future development behind these sites.
  - i. If the business is to operate at night, design all outdoor lighting so as not to create glare or shine directly on nearby residences.



### Relationship to Town's TDR Program

1. See Chapter 1-2 and Figure 1.2.1 for a description of the Town's Transfer of Development Rights (TDR) program.
2. Without or before any development rights transfer into Neighborhood Development Area parcel, each March 29, 1979 parcel so mapped is allowed housing and other non-farm uses of the same types and densities as described for the Farmland Preservation Area in Figure 1.3.1.
3. For each development right transferred from a TDR Sending Area to a Neighborhood Development Area parcel, the developer of that parcel is able to develop 6 housing units above the number of housing units (RDUs) allocated to the March 29, 1979 parcel in Figure 1.3.1, provided that the developer meets all other applicable regulations and policies. So, for example, an owner of an undeveloped 80 acres in the Neighborhood Development Area who acquires two development rights from a TDR Sending Area is allowed 12 housing units from the transferred development rights (2 rights x transfer ratio incentive of 6), plus two additional housing units assigned to the 80-acre parcel land area as a base under the density policy in Figure 1.3.1, for a maximum of 14 housing units. Each commercial service, retail, office, institutional, and other non-residential ~~use-principal building~~ within the Neighborhood Development Area shall be considered the equivalent of one housing unit for purposes of this policy. ~~Each such non-residential use could contain multiple buildings (e.g., a multi-building mini-warehouse development) and still count as the equivalent of one dwelling unit though would still be subject to Development Design Standard 2 above.~~
4. ~~Each P~~parcels ~~within the Neighborhood Development Area that were~~ legally created and zoned residential prior to [insert Town Board adoption date of new Plan once adopted] may be developed with ~~a~~ residences ~~and divided~~ without having to obtain a transferred development right.

**TOWN OF MAZOMANIE  
PLAN COMMISSION RESOLUTION 2024-01**

**RECOMMENDING AN UPDATE TO THE COMPREHENSIVE PLAN OF THE TOWN OF MAZOMANIE, DANE COUNTY, WISCONSIN**

WHEREAS, the Town of Mazomanie is authorized to prepare and adopt a comprehensive plan as defined in §§66.1001(1)(a) and 66.1001(2), Wisconsin Statutes; and

WHEREAS, the Town of Mazomanie Board last adopted an updated Town of Mazomanie Comprehensive Plan (hereinafter “Plan”) in 2014, and said Plan has since been in effect since then; and

WHEREAS, §66.1001(4), Wisconsin Statutes establishes the required procedure for the Town to update its Plan; and

WHEREAS, in 2023, the Town began a process to update its Plan, guided by a public participation strategy and a comprehensive plan update committee; and

WHEREAS, on October 10, 2024, the Town Board and Plan Commission conducted a joint public hearing on the updated Plan in compliance with the requirements of §66.1001(4)(d), Wisconsin Statutes; and

WHEREAS, the Commission has considered the public comments made and has determined to recommend Town Board approval of the proposed Plan update.

NOW, THEREFORE, the Town Plan Commission of Mazomanie, Wisconsin, does ordain to recommend that the Town Board adopt the updated Town Plan, replacing the Town’s 2014 Plan and all prior versions of the Town Plan, subject to the following recommended conditions:

1. The adopted Plan shall consist of:
  - a. Map 1—Future Land Use, dated 8/12/24, but with amendments included in the document titled “Potential Changes to Map 1—Future Land Use (10/29/24).
  - b. Figure 1.3.3: “Neighborhood Development Area” Future Land Use Category, dated October 29, 2024.
  - c. All of pages and maps included in the “Public Hearing Draft: August 2024” Plan version.
2. The Town Clerk shall guide the assembly, publishing, and distribution of the Plan in accordance with Wisconsin Statutes, and shall share the Plan with the Dane County Planning and Development Department for incorporation into Dane County’s plans.

Adopted at a Town Plan Commission meeting this 4<sup>th</sup> day of November, 2024.

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Rick Wipperfurth, Town Chairperson

Attested By:

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Courtney Beuthin, Town Clerk

**TOWN OF MAZOMANIE  
ORDINANCE 2024-3**

**ADOPTING AN UPDATE TO THE COMPREHENSIVE PLAN OF THE TOWN OF MAZOMANIE, DANE  
COUNTY, WISCONSIN**

WHEREAS, the Town of Mazomanie is authorized to prepare and adopt a comprehensive plan as defined in §§66.1001(1)(a) and 66.1001(2), Wisconsin Statutes; and

WHEREAS, the Town of Mazomanie Board last adopted an updated Town of Mazomanie Comprehensive Plan (hereinafter “Plan”) in 2014, and said Plan has since been in effect since then; and

WHEREAS, §66.1001(4), Wisconsin Statutes establishes the required procedure for the Town to update its Plan; and

WHEREAS, in 2023, the Town began a process to update its Plan, guided by a public participation strategy and a comprehensive plan update committee; and

WHEREAS, on October 10, 2024, the Town Board and Plan Commission conducted a joint public hearing on the updated Plan in compliance with the requirements of §66.1001(4)(d), Wisconsin Statutes; and

WHEREAS, on November 4, 2024, the Plan Commission recommended Town Board approval of the updated Plan by resolution; and

WHEREAS, the Town Board has considered the public comments made and the recommendations of the Commission, and has determined to approve the proposed Plan update.

NOW, THEREFORE, the Town Board of Mazomanie, Wisconsin, does ordain to adopt the updated Town Plan), replacing the Town’s 2014 Plan and all prior versions of the Town Plan, subject to the following conditions:

1. The adopted Plan shall consist of:
  - a. Map 1—Future Land Use, dated 8/12/24, but with amendments included in the document titled “Potential Changes to Map 1—Future Land Use (10/29/24).
  - b. Figure 1.3.3: “Neighborhood Development Area” Future Land Use Category, dated October 29, 2024.
  - c. All of pages and maps included in the “Public Hearing Draft: August 2024” Plan version.
2. The Town Clerk shall guide the assembly, publishing, and distribution of the Plan in accordance with Wisconsin Statutes, and shall share the Plan with the Dane County Planning and Development Department for incorporation into Dane County’s plans.

Adopted at a Town Board meeting this 4th day of November, 2024.

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Fred Wolf, Town Chairperson

Attested By:

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Courtney Beuthin, Town Clerk