

ORDINANCE OF THE TOWN OF COTTAGE GROVE, WISCONSIN
Adopted pursuant to Sec. 25.01 of the Town of Cottage Grove Code

Title: Transfer of Development Rights Policy

Code Section(s) created, amended, or repealed	<u>15.15.1</u>
Presented to Board by	<u>Plan Commission & Town Attorney</u>
Committee Review by	<u>Plan Commission</u>
Date(s) Public Hearing(s) held (if required)	<u>None Required</u>
Date adopted	<u>August 1, 2005</u>
Vote	<u>4-0</u>
Date of posting of adoption of ordinance	<u>August 5, 2005</u>

The Town Board of the Town of Cottage Grove does ordain as follows:

15.15 TRANSFER OF DEVELOPMENT RIGHTS (TDR)

15.15.1 Policy.

The policy for the Town’s Transfer of Development Rights (“TDR”) Program is generally set forth in the Land Use Element of the Smart Growth Comprehensive Plan - 2020, as may be amended from time to time. This general policy is incorporated herein by reference, with the express recognition that there may be individual circumstances that warrant deviation from the general policy or that are not adequately addressed in the general policy. In such cases, the affected individual(s) may submit a request for a variance or interpretation to the Plan Commission. The Plan Commission shall review the request for a variance or an interpretation on a case-by-case basis in the context of the overall intent and spirit of the TDR Program and relevant town planning issues. The Plan Commission shall then provide to the Town Board a written recommendation regarding the variance or interpretation, as well as a recommendation as to whether a formal change to the comprehensive plan is advisable. Following consideration of the Plan Commission’s recommendation, and such other information as the Town Board deems advisable, the Town Board shall either grant the variance or provide the interpretation, and shall determine whether and when a formal change to the comprehensive plan should be made. The Town Board shall have final authority with respect to granting the variance or providing the interpretation.

Adopted this 1st day of August, 2005.

Kris Hampton, Town Chair

ATTEST:

Kim Banigan, Town Clerk

Approved as to form this
_____ day of _____, _____.

Constance L. Anderson, Esq.
Cottage Grove Town Attorney