

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

Title: Park Equipment & Seeding Ordinance

Code Section(s) <del>created</del> , amended, or <del>repealed</del>	<u>15.2.4.2-15.2.4.4</u>
Presented to Board by	<u>Town Chair</u>
Committee Review by	<u>Plan Commission</u>
Date(s) Public Hearing(s) held (if required)	<u>June 7, 2004</u>
Date adopted	<u>June 7, 2004</u>
Vote	<u>4-1</u>
Date of posting of adoption of ordinance	<u>June 11, 2004</u>

The Town Board of the Town of Cottage Grove does ordain that ordinance 15.2.4.2-15.2.4.4 shall be amended and renumbered as follows:

15.2.4.2 Dedication of Parks, Playgrounds, Recreation and Open Spaces.

15.2.4.2.1 The subdivider shall dedicate sufficient land area to provide adequate park, playground, recreation and open space to meet the needs to be created by and to be provided for the land division or subdivision. At least 2,000 square feet of land shall be dedicated for each proposed residential dwelling unit within the land division, subdivision or comprehensive development. Where a definite commitment is made to the Town by the subdivider with respect to the number of dwelling units to be constructed on any parcel of land which has a zoning classification that permits multifamily use, the dedication shall be based upon that number. Where no such commitment exists, the dedication shall be based upon the maximum number of dwelling units which the zoning classification of the parcel will permit. The subdivider will be responsible for final grading and seeding of parkland to the satisfaction of the Town Highway Superintendent and in compliance with other specifications of this ordinance.

15.2.4.2.2 All parkland shall be seeded to the satisfaction of the Town Highway Superintendent and in compliance with the following minimum requirements:

The seed mixture shall be Madison Parks, conforming to the following properties:

- 39.2% Kentucky Blue Grass
- 24.5% Creeping Red Fescue
- 19.9% Park Kentucky Blue Grass
- 4.95% Chewing Fescue
- 9.95% Perennial Rye Grass.

Seed shall be applied at a rate of 3.5 pounds per 1,000 square feet.

A seed certificate showing purity and germination per cent shall be provided.

Fertilizer shall be 10-10-10 at a rate of 7 pounds per 1,000 square feet.

Mulching operations shall commence immediately after seeding in a manner specified by the Town Highway Superintendent.

15.2.4.2.3 Where, in the sole discretion of the Town Board, there is no land suitable for parks within the proposed land division or subdivision, the dedication of land required by sec.

15.2.4.2.1 is not feasible, the dedication of land would not be compatible with the Town Comprehensive Plan, or the Town Board determines that a cash contribution will better serve the public interest, the Town Board may require the subdivider to pay a fee in lieu of making the required land dedication.

15.2.4.2.4 The amount of any fee imposed shall be determined as follows: the number of proposed residential dwelling units within the plat shall be multiplied by 2,000; then the resulting product shall be divided by 43,500; and then the resulting quotient shall be multiplied by the fair market value of an acre of residential land within the plat as determined by the Town Assessor.

15.2.4.2.5 The Town Board may, in its sole discretion, permit the subdivider to satisfy the requirements of sec. 15.2.4.2.1 by combining a land dedication with a fee payment. The fee, in such cases, shall be determined by subtracting the fair market value of the dedicated land, as determined by the Town Assessor, from the total fee which would have been imposed had no land been dedicated by the subdivider.

15.2.4.2.6 The Town shall place any fee collected pursuant to the provisions of this section in a separate account to be used for land acquisition and development of adequate park, playground, recreation and open space to meet the needs created by the land division, subdivision or comprehensive development.

15.2.4.2.7 Payment of land dedication fees shall be in a lump sum prior to the recording of a final plat or certified survey map or prior to the issuance of any building permit for a development where no plat or certified survey map is involved.

15.2.4.2.8 In addition to the land dedication required by 15.2.4.2.1 or the fee in lieu of dedication under 15.2.4.2.3-4 or the combination thereof under 15.2.4.2.5, there shall be a parkland equipment fee imposed as follows. The parkland equipment fee shall be determined as follows: the number of proposed residential dwelling units within the plat shall be multiplied by 2,000; then the resulting product shall be divided by 43,500; then the resulting quotient shall be multiplied by the fair market value of an acre of residential land within the plat as determined by the Town Assessor; and then this value shall be multiplied by 35%. The Town shall place the parkland equipment fee collected pursuant to this paragraph in a separate account to be used for acquisition of adequate park and playground equipment, structures, improvements and facilities.

15.2.4.3 Reservation of Public Sites and Open Spaces. In designing a land division, subdivision or comprehensive development, due consideration shall be given to the reservation of suitable Sites of adequate area for future schools, parks, playgrounds, drainageways, and other public purposes. In the location of such, consideration shall be given to the preservation of scenic and historic sites, stands for fine trees, marshes, lakes and ponds, water courses, watersheds, and ravines. The subdivider may be required to reserve such school, park, recreation and public use areas for a period not to exceed two (2) years for acquisition by the Town, or in the case of school areas by the school district, at undeveloped land costs.

15.2.4.4 Limitation. A subdivider shall not be required to dedicate more than one-third (1/3) of the total area of the plat to meet the objectives of secs. 15.2.4.1 and 15.2.4.3, provided that any excess dedication requirements shall be met by payment of a fee determined in accordance with secs. 15.2.4.2.3, 15.2.4.2.4, 15.2.4.2.6, and 15.2.4.2.7. The developer may dedicate excess lands in lieu of such fees or any portion thereof if appropriate Town authorities approve such excess dedications.

Adopted this 7th day of June, 2004.

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Kris Hampton, Town Chair

ATTEST:

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Kim Banigan, Town Clerk

Approved as to form this  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Constance L. Anderson, Esq.  
Cottage Grove Town Attorney  
Gregory D. Murray, Esq.  
Cottage Grove Assistant Town Attorney