

LAND USE

LAND USE PLANNING IN RELATION TO STATE STATUTES

Section 62.23 of the *Wisconsin Statutes* grants cities and villages the authority to prepare and adopt local master plans or plan elements. Section 60.10(2)(c) of the *Statutes* gives towns the authority to prepare and adopt a local master plan under Section 62.23 provided a town adopts village powers and creates a town plan commission. All of the towns in Ozaukee County, including the Town of Cedarburg, have adopted village powers and created a plan commission.

In 1999, the Wisconsin Legislature enacted legislation that greatly expanded the scope and significance of comprehensive plans within the State. The law, often referred to as Wisconsin's "Smart Growth" law, provides a new framework for the development, adoption, and implementation of comprehensive plans by regional planning commissions and by county, city, village, and town units of government. The law, which is set forth in Section 66.1001 of the *Wisconsin Statutes*, requires that the administration of zoning, subdivision, and official mapping ordinances be consistent with a community's adopted comprehensive plan beginning on January 1, 2010.

The Town of Cedarburg adopted a comprehensive plan under Section 66.1001 of the Wisconsin Statutes by ordinance on April 2, 2008. The plan was subsequently updated by ordinance on May 2, 2012. The Wisconsin comprehensive planning law requires that comprehensive plans be updated no less than once every 10 years (Section 66.1001(2)(i) of the Wisconsin Statutes). Local governments may choose to update the plan more frequently. While there is no limit on the number or frequency of amendments that may be made to a comprehensive plan, the public participation, public hearing, and plan adoption procedures required for a full comprehensive plan also apply to plan amendments and updates.¹

The Town reviewed the comprehensive plan in 2022 and it was determined that the plan and future land use plan map be updated to include current parcel lines, street rights-of-way, floodplains, and primary environmental corridors; the 20-year boundary agreement with the City of Cedarburg; incorporating existing comprehensive plan amendments; consideration of higher density residential development in select locations within the Town; and possible development of a Town Center within the Five Corners area of the Town. The updated future land use plan map would also reflect recent updates to the Town zoning map. Several of the nine comprehensive planning elements required by Section 66.1001 of the Statutes must be updated or addressed to bring existing land use or master plans into compliance with the requirements of the comprehensive planning legislation. This chapter focuses on updating the Land Use Element for the Town of Cedarburg.

¹ These requirements were expanded by 2015 Wisconsin Act 391 to require each local government to maintain a list of persons who submit a request to receive notice of any comprehensive plan amendment/update affecting the allowable use of their property and to inform property owners annually that they may add their name to this list. Methods that may be used to provide the annual notice include publishing it as a Class 1 public notice, posting the information on the local government website, or mailing a notice to each property owner within the local government.

LAND USE PLANNING IN THE REGION

The regional land use plan sets forth the fundamental concepts that are recommended to guide the development of the seven-county Southeastern Wisconsin Region. The most recent version of the plan ([VISION 2050: A Regional Land Use and Transportation Plan for Southeastern Wisconsin: 2035](#)) was adopted by SEWRPC in ~~July 2016~~ [2016, and updated in 2020 and 2024](#). The regional land use plan map as it pertains to Ozaukee County ~~planning area~~ is illustrated in Figure 1. ~~Although the Town may agree with some aspects and recommendations contained in the regional land use plan, the Town has chosen not to endorse SEWRPC's plan.~~ The key recommendations of the regional land use plan include:

Environmental Corridors

The regional land use plan recommends [minimizing the impacts of new development on environmentally significant lands, and that new urban development should avoid environmentally significant lands, particularly primary environmental corridors](#). Under the plan, development within primary environmental corridors should be limited to transportation and utility facilities, compatible outdoor recreational facilities, and on a limited basis, rural density housing located at the fringes of upland environmental corridors using cluster development techniques at a maximum density of one dwelling unit per five acres. The plan further recommends the preservation, to the extent practicable, of remaining secondary environmental corridors and isolated natural resource areas, as determined through county and local planning efforts. ~~It should also be noted that certain policies of the Wisconsin Department of Natural Resources (WDNR) and the Department of Safety and Professional Services (DSPS) require that the lowland portions of all environmental corridors be protected during any sanitary sewer extension review process. It should be noted that if any portions of the Town are to be served with public sanitary sewer service that the Town protect those lowland areas to be served.~~

Urban Development

The regional land use plan encourages urban development only in those areas that are covered by soils suitable for such development, which are not subject to special hazards such as flooding or erosion, and which can be readily provided with basic urban services including public sanitary sewer service.

Prime Agricultural Land

The regional land use plan recommends that prime agricultural land be preserved for long-term agricultural use and not converted to either urban development or to other forms of rural development.

Other Agricultural and Rural-Density Residential Lands

In addition to preserving prime agricultural lands and environmental corridors, the regional land use plan seeks to maintain the rural character of other lands located outside planned urban service areas. The plan encourages continued agricultural and other open space uses in such areas. The plan seeks to limit development in such areas primarily to rural-density residential development, with an overall density of no more than one dwelling unit per five acres. Where rural residential development is accommodated, the regional plan encourages the use of [cluster conservation](#) design, with homes grouped together on relatively small lots surrounded by

permanently preserved agricultural, recreational, or natural resource areas such as woodlands, wetlands, or prairies sufficient to maintain the maximum recommended density of no more than one home per five acres.

LAND USE PLANNING IN THE TOWN OF CEDARBURG

The purpose of land use planning in the Town of Cedarburg is to provide a layout and description of how the Town is planned to be developed and what types of activities and densities are allowed. This chapter serves as the primary tool for guiding future growth and development in the Town.

The land use element is based on standards that reflect the desires of community residents, committee members, elected officials and proven principles in community development, environmental preservation, and residential development.

As part of the land use element, several factors related to the growth of development will be addressed. These factors are as follows:

- Social factors include those which give or maintain character (i.e. gathering areas, civic identity, and the “rural small town” feeling). The creation of a Town Center will add to the social fabric of the Town.
- Economic factors include the creation of jobs, balance of municipal expenses and revenue, and land value influenced by natural amenities and water quality.
- Physical factors include the actual development of the land (i.e. how it appears and feels, what types of development are allowed, and where development is located).

The land use element cannot be successfully implemented when only looking at the physical attributes of growth. Diverse and healthy communities grow in all three areas and a balance should be achieved to provide a quality environment for its residents. Together, these factors influence one another, the current residents, and the attractiveness for new residents and businesses.

Demand for Development

One method for measuring the demand for development within a community is to examine the amount and price of land being sold. Tables 1 through Table 3 compare agricultural land sales between Ozaukee County and the remaining Region. Table 1 illustrates agricultural land sales for 201904, Table 2 illustrates agricultural land sales for 20121998, and Table 3 illustrates the percent change from 20121998 to 201904. The middle columns in each table identify agricultural land that has been converted to other uses for development.

For agricultural land being converted to other uses, the re-number of were no transactions in 20121998 was slightly lower than and 201904; however, the number of acres sold and the average dollar per acre greatly increased. The total amount of acres diverted to other uses from 1998 to 2004 increased by 142% (325 acres to 785 acres); likewise, the average dollar per acre from 1998 to 2004 increased by 409% (\$3,874/acres to \$19,733/acre). Conversely, the number of transactions for agricultural lands continuing in agricultural use was

~~lower in 2019 than 2012, a decrease of 55%. The total amount of acres remaining in agricultural use from 2012 to 2019 decreased by 58%; however, the average dollar per acre from 2012 to 2019 increased by 70%.~~

~~Even though there were no transactions of agricultural lands being diverted to other uses, The 142% change in agricultural acres sold reveals the fact that Ozaukee County has~~ agricultural land ~~in Ozaukee County continues to be that is~~ in high demand for development, which can be attributed to ~~the Ozaukee~~ County's close proximity to the City of Milwaukee ~~and Milwaukee County~~. Agricultural land proximate to the City is, in general, valued higher for development. The Town of Cedarburg ~~certainly~~ falls within this development scenario.

Land Use Trends

In addition to examining the amount and price of land being sold as a method for measuring the demand for development, as a community, reviewing past land use trends can aid in identifying and planning for the types of uses that are demanded. Table 4 illustrates the land use trends for the Town of Cedarburg from ~~1980 to~~ 2000 ~~to 2020~~.

~~Similar to the previous tables,~~ Table 4 illustrates that the Town of Cedarburg has lost approximately ~~3,1261,698~~ acres of agricultural land to other types of uses from ~~1980 to~~ 2000 ~~to 2020~~, or ~~156,384.9~~ acres per year. The primary loss of this land is for residential purposes. In 20~~20~~0, the primary urban land use within the Town was single-family residential, approximately ~~3,1282,713~~ acres (or ~~753.0~~%). This was an increase of ~~2,146.9~~% from ~~2000~~1980 (~~1,846~~ acres). The remaining urban land uses within the Town were transportation (~~83359~~ acres or ~~19.923.1~~%); commercial (~~8856~~ acres or ~~2.14.5~~%), government and institutional (~~4038~~ acres or ~~0.91.0~~%), recreational (~~6130~~ acres or ~~1.50.8~~%), and industrial (~~3820~~ acres or ~~0.95~~%). Of the remaining urban land uses, ~~both commercial and recreational uses~~ increased ~~by 60.0% the greatest by percentage~~ from ~~2000~~1980 (~~35~~ acres) to 20~~20~~00 (~~56~~ acres).

Even though the amount agricultural land in the Town has been decreasing over time, agricultural land still plays a significant role in Town's nonurban land uses (~~5,2068,163~~ acres or ~~44.864.6~~%). This is a decrease of ~~37.517.2~~% from ~~2000~~1980 (~~9,861~~ acres). Other nonurban land uses in the Town are natural resource areas (~~4,0353,401~~ acres or ~~34.826.9~~%), open lands (~~2,342979~~ acres or ~~20.27.7~~%), and extractive ~~and landfill~~ (~~2095~~ acres or ~~0.28~~%); ~~currently, the Town does not have any active quarrying operations. Most of the agricultural lands that were lost between 2010 and 2020 were identified as open lands in 2020 (open lands increased by nearly 1,700 acres in that time period) signifying that those lands that were once farmed have not been farmed in recent years.~~

Based on the demand for development and review of past land use trends in the Town, it is recommended that the Town focus growth on residential, ~~and commercial,~~ ~~and other compatible~~ land uses while preserving the community's natural resource areas, open lands, and agricultural areas (where appropriate).

ZONING DISTRICTS

Figure 2, Table 5, and the Town's Land Use Plan are the primary planning tools that the Town of Cedarburg uses when reviewing and approving changes in zoning, planned unit developments (PUDs), conditional uses, land divisions, land stewardship plans, road alignments and circulation improvements, and related development matters. These tools can be compared to the ~~County's interpretation of existing land uses~~ in the Town (Figure 3). The zoning districts shown on Table 5 reflect the current zoning districts (2024) within the Town and those zoning districts proposed to be added to the Town Zoning Code as part of the Zoning Code update. The Zoning Code update is expected to be completed in early 2025. Upon adoption of the Zoning Code update, the Town is proposing to add four new zoning districts (MU-1, MU-2, MU-3, and I-1) and remove three zoning districts (B-3, M-2, and M-3). If needed, this Comprehensive plan will be further amended to ensure consistency with the updated Zoning Code and map upon their adoption.

The general intent and purpose of the Town's zoning map is to promote the comfort, health, safety, morals, prosperity, aesthetics, and general welfare of the people of the Town. The zoning map and its regulations will be the basis for creating the Town's land use plan map.

The Town may consider reviewing and making amendments to the zoning code over the life of the comprehensive plan to increase opportunities for the community as a whole to become more sustainable. This can be accomplished by increasing the flexibility of zoning regulations, adding incentives (e.g. density bonuses), and making amendments and additions to the code that support sustainable activities. The term "sustainability" is defined in a number of ways. Efforts to make the zoning code more sustainable would be further clarified as amendments are made.

DEVELOPMENT PROJECTIONS

The actual amount of development that can be anticipated in the Town of Cedarburg over the next ~~2630~~ years is difficult to predict. Development in Ozaukee County is increasing ~~steadily~~ rapidly, and easy accessibility to the highway system makes the Town a desirable place to live.

Residential Development Projections

Table 6 ~~and Table 7~~ illustrates ~~two the~~ potential development ~~of future residences scenarios~~ in the Town of Cedarburg ~~based on this comprehensive plan for future residential units over the next 30 years~~. The Town of Cedarburg has three distinct residential areas (all areas also allow A-1 zoning which allows for residences as an accessory use): Rural Neighborhood-Countryside (E-1, CR-A, and CR-B); Residential Neighborhood-North (TR, TR-2, E-1, CR-A, and CR-B); and Residential Neighborhood-South (R-1, R-2, R-3, TR, TR-2, E-1, CR-A, and CR-B). The Town also plans for residential development within the Five Corners Business District with a mixed-use component.

The housing projections shown in Table 6 provide a snapshot of the number of residential lots that could potentially be created in each zoning district, including lots within the A-1 district. The acreages used for this calculation consist of all the existing agricultural and rural open space lands (2020) located within the four

planned residentially focused future land use categories shown on Figure 4. The acreages exclude those lands that are within the City of Cedarburg's growth area as part of the boundary agreement (Intergovernmental Agreement for Planned and Orderly Growth). Additionally, the number of lots for the Five Corners Business District estimate residential development to account for 66% residential development and 34% being commercial, retail, offices, etc. development.

The total number of lots shown in Table 6 assumes for full buildout of the Town to 2050. The Town understands that this scenario is unlikely to occur based upon historical records for new home building permits that have averaged about 14.22 permits per year since 2000. Nonetheless, the totals shown in Table 6 provide an estimate of potential residential development for a full build out scenario.

The first set of estimated projections (Table 6) assumes that all of the land planned for residential (R-1, R-2, R-3, E-1, CR-A, CR-B, TR, and TR-2) will be "built-out" over the next 30 years, which results in approximately 643.7 units every 5 years for a total of 3,862.41 units by 2035.

The second set of estimated projections (Table 7) assumes that the Town will grow in a similar fashion to past building permit trends. From 1995 to 2006, the Town of Cedarburg has issued 360 new home building permits, or an average of 30 permits per year. Assuming that the Town of Cedarburg continues this trend, over the next 30 years, the Town can estimate approximately 150 units every 5 years for a total of 900 units by 2035.

Based on past trends and data, it is realistic to assume that the population growth and housing growth will follow the second set of estimated projections (Table 7) identified by the Town. These projections were based on past historical building permit trends from 1995 to 2006; whereas, the first set of projections was based on planned projections provided by the Town of Cedarburg.

Commercial Development Projections

The Town has five distinct commercial areas. They are the Five Corners Business District (B-1, B-2, MU-1, MU-2, MU-3, I-1, and P-1B-3), Columbia Business District (B-1, B-2, C-1, PDSP, R-3), Deckers Corners Business District (B-1 and B-2B), Hamilton Historic District (B-1 and B-2B), and Horns Corners Business District (B-1, and B-2B). Based on data provided by the Town, there are approximately 281.19285.79 acres planned for commercial use (B-1, and B-2, B-3).

In 2006Recently, the Town completed a Master Plan for the Five Corners area. The purpose of the Master Plan was to create a vibrant and pedestrian friendly "town center" featuring mixed-use development and provide a focal point and gathering place for the Town. The Five Corners Master Plan includes approximately 457 acres from one-quarter to one-half mile east of the Five Corners intersection (STH 60, Wauwatosa Road, Washington AvenueRoad, and Covered Bridge Road) west to Horns Corners Road and one-quarter1/4 to one-half1/2 mile north and south ofalong STH 60 (see Figure 24 in the Economic Development chapter). The Master Plan is likely to be updated as early as 2025.

Commercial uses within the Columbia, Deckers Corners, Hamilton, and Horns Corners Districts are primarily neighborhood-like business areas that will serve the surrounding population and will primarily consist of uses associated with the Town's B-1 and B-2 zoning districts. Commercial uses with the Five Corners Business District will consist of mixed-use development with a combination of commercial, retail, recreation, and professional office uses on the north and south sides and within 400 feet of STH 60 (expanding to within 650 feet east of Covered Bridge Road on the north side of STH 60), and also include those existing parcels adjacent to Washington Avenue on the south side of STH 60. Residential uses may be mixed with commercial uses as part of the same building with commercial uses on the ground floor and residential uses on the upper floors.

It is realistic to assume that the actual build-out will be based on the time frame of infrastructure improvements, including municipal sewer and water, market trends, and absorption rates within the County and Town.

Industrial Development Projections

The Town has one industrial district (~~M-1M-2~~). ~~Based on data provided by the Town, t~~here are approximately ~~74.66413.89~~ acres planned for ~~commercial, professional office,~~ manufacturing, ~~and warehousing, and other industrial~~ uses. The only area planned for industrial uses within the Town is the existing industrial area along Sycamore Drive south of STH 60 and east of Washington Avenue, which is also part of the planned Five Corners Business District. Any new industrial development within the Town is planned to be primarily in this area and any redevelopment in this area is envisioned to be for industrial or associated uses. It is realistic to assume that the actual build-out will be based on market trends and absorption rates for the County and Town.

Agricultural Development Projections

In ~~2000, 1980~~ the Town of Cedarburg had approximately ~~8,3329,861~~ acres of agricultural land (A-1 and A-2). In ~~202000,~~ the amount of agricultural land had decreased to ~~5,2068,163~~ acres. This is a loss of approximately ~~3,1261,698~~ acres of agricultural land over a 20-year period, or ~~625283~~ acres every 5 years. As stated earlier in this chapter, the loss of agricultural land can be attributed to the increase in demand for residential development, the attractive rural character of the Town, the close proximity to a highway system, and the Town's proximity to the City of Milwaukee and Milwaukee County.

LAND USE PLAN

Structure of the Land Use Plan

The Town of Cedarburg Land Use Plan consists of two maps, a table, and the following text ~~that~~which are collectively ~~are~~ referred to as the "Land Use Plan":

- Land Use Plan Text
- Land Use Plan Map (Figure ~~45~~)
- Land Use Plan Table (Table ~~78~~)
- Existing Zoning Classifications Map (Figure 2)

Amending the Land Use Plan

The Land Use Plan should be reviewed and amended periodically. Suggestions for amendments may be brought forward by Town staff, officials, and residents, and should be consistent with the overall vision of the plan.

Proposed amendments could originate in any of the following ways:

- a) Amendments proposed as corrections of clerical or administrative errors, mapping errors, and updated data for text, tables, and maps. Such amendments would be drafted by Town staff, [a consulting planner](#), or [Southeastern Wisconsin Regional Planning Commission staff](#).
- b) Amendments proposed as a result of discussion with officials and citizens.
- c) Amendments proposed as a result of recommendations discussed during a Town planning process.

When a change is proposed, it should follow this general procedure:

- Recommendation by the Plan Commission to conduct a review process for the proposed amendment.
- Facilitation of public hearings as required by applicable *Wisconsin Statute* and/or ordinance.
- Recommendation from the Plan Commission to the Town Board.
- Consideration and decision by Town Board.

Using the Land Use Plan

The Land Use Plan should be used when reviewing and approving changes in zoning, planned unit developments (PUDs), conditional uses, land divisions, land stewardship plans, road alignments and circulation improvements, and related development matters. In all cases, consistency with the Land Use Plan should be a primary determinant of the recommendations and decisions made by the Town:

Step 1: determine the status of the property in question in terms of zoning, use, and land division. Does the proposal actually require a change in (1) zoning, (2) use of the land, or (3) land division? If none of these three items are being changed, then the proposal is considered consistent with the Land Use Plan. If, however, the proposal requests a change in zoning, use, or land division, all aspects of the Land Use Plan are applicable.

Step 2: assuming there is a change in zoning, use, or land division, the next step is identifying the critical land use issues. This type of proposal must be understood in terms of the maps and table that are collectively referred to as the Land Use Plan. The proposal should be geographically located on the Existing Zoning Classifications Map, Land Use Plan Map, and Land Use Plan Chart. The relevant issues should be identified.

Step 3: reference the Town's Code for regulations and policies (i.e. density, minimum lot size, common open space requirements, etc.) in regard to zoning (Chapter 320), use, and land division (Chapter 184).

Step 4: review the overall development process and determine what other regulations and policies need to be considered in addition to the land use. The process for reviewing development proposals includes many regulatory and procedural steps that go beyond land use. For example, regulations for wetlands ([WDNR](#)),

[shoreland and floodplain regulations \(Ozaukee County\)](#), regulations for road design and access (Ozaukee County and WisDOT), drainage policies, sewer and sanitation policies, subdivision regulations, etc. These regulations and policy issues should be noted early in the process to avoid major misunderstandings regarding conformance to the Land Use Plan.

LAND USE PLAN MAP

The Land Use Plan Map identifies ~~several neighborhoods, and districts, and corridors~~ within the Town. The following descriptive standards for each neighborhood, ~~and district, and corridor~~ are based on goals, objectives, and policies from all the elements of this Comprehensive Plan. These neighborhoods, ~~and districts, and corridors~~ are larger-scale designations of intended development character. Within each neighborhood, ~~and district, and corridor~~ certain individual zoning classifications are allowed and are listed below within each ~~District~~ description.

The Land Use Plan Map (Figure ~~45~~) illustrates the boundaries of the following neighborhoods, ~~and districts, and corridors~~.

1) NEIGHBORHOODS

There are three distinct designated Neighborhoods identified in the Town of Cedarburg. The three Neighborhoods are identified by geographic location, character and long-term vision, and development pressures.

The Neighborhoods are:

- Rural Neighborhood-Countryside
- Residential Neighborhood-North
- Residential Neighborhood-South

Rural Neighborhood-Countryside

The Town of Cedarburg prides itself on conserving and enhancing a large portion of its land area in a natural, rural, countryside character. This area includes cultivated fields, large estates, and several significant environmental corridors and environmentally sensitive areas (i.e. wetlands, woodlands, wildlife habitat). This area has scenic views across large open spaces and provides an irreplaceable cultural character that defines the Town of Cedarburg as a historically agricultural and rural community.

The Rural Neighborhood-Countryside is intended to minimize residential density and maximize the preservation of open space that directly enhances the countryside character and environmental amenities of the area which will be critical in maintaining the social and economic value of the Town.

As new development occurs within the Rural Neighborhood-Countryside, the value of environmental preservation will increase and, on occasion, become more difficult. Typically, rural areas like this are subject to major economic and public pressures for development. Once such areas are developed it is almost impossible to reverse the process. Consequently, the preservation of environmental resources in this Neighborhood should be given the highest priority.

Typical zoning classifications allowed in the Rural Neighborhood-Countryside are:

- A-1 Agricultural District
- A-2 Prime Agricultural District
- E-1 Estate District
- CR-A Countryside Residential A
- CR-B Countryside Residential B
- ~~M-3 Quarrying District (through the use of a CUP)~~
- C-1 Conservancy District
- P-1 Public & Private Park District

Residential Neighborhood-North

The Residential Neighborhood-North is located north of STH 60 and mostly adjacent to the Five Corners Business District and the Village of Grafton. Most of the Neighborhood is developed and the densities are established, however, several parcels still remain undeveloped.

The Residential Neighborhood-North is intended to allow higher density residential development than the Rural Neighborhood-Countryside.

Where appropriate, a transition (density and preservation of open space) between the Residential Neighborhood-North and Rural Neighborhood-Countryside is critical. Where these two Neighborhoods meet, it is recommended that the Town of Cedarburg promote the use of Countryside and Transitional Residential policies.

Typical zoning classifications allowed in the Residential Neighborhood-North are:

- TR Transition Residential
- TR-2 Transition Residential
- E-1 Estate District
- CR-A Countryside Residential A
- CR-B Countryside Residential B
- C-1 Conservancy District
- P-1 Public & Private Park District
- A-1 Agricultural District
- A-2 Prime Agricultural District

For those U.S. Public Land Survey Sections within close proximity to the Village of Grafton, Sections 11 and 14 of the Town of Cedarburg, the Town may permit higher-density residential development. The Town would permit the typical zoning classifications associated with the Residential Neighborhood-North land use to those undeveloped parcels (parcels not consisting of an existing residential subdivision) within the entirety of U.S. Public Land Survey Sections 11 and 14, however, the Town may also permit densities associated with the R-1, R-2, and R-3 zoning classifications to those undeveloped parcels within the entirety of Section 14.

Residential Neighborhood-South

The Residential Neighborhood-South is south of STH 60 and surrounds the City of Cedarburg's municipal limits on the west, north, and east. Most of the Neighborhood is developed and the densities are established, however, several parcels still remain undeveloped.

The Residential Neighborhood-South, at the discretion of the Town, is intended to allow higher density residential development through the use of the Town's Planned Unit Development ordinance as an incentive to minimize the loss of land in the Town by allowing for R-1, R-2, and R-3 zoning classifications. The result of this would be a transition from more dense style City development to the more rural style development style of Rural Neighborhood-Countryside.

Where appropriate, a transition (density and preservation of open space) between the Residential Neighborhood-South and Rural Neighborhood-Countryside is critical. Where these two Neighborhoods meet, it is recommended that the Town of Cedarburg promote the use of Countryside Residential policies.

Typical zoning classifications allowed in the Residential Neighborhood-South are:

- R-1 Single-Family Residential District
- R-2 Single-Family Residential District
- R-3 Single-Family Residential District
- TR Transition Residential
- TR-2 Transition Residential
- E-1 Estate District
- CR-A Countryside Residential A
- CR-B Countryside Residential B
- C-1 Conservancy District
- P-1 Public & Private Park District
- A-1 Agricultural District
- A-2 Prime Agricultural District

2) DISTRICTS

There are five distinct designated Districts identified in the Town of Cedarburg.

The Districts are:

- Business District-Deckers Corners
- Business District-Horns Corners
- Business District-Five Corners
- Business District-Columbia
- Historic District-Hamilton

While some communities have a single downtown, other communities have developed historically with multiple centers, each serving different areas and neighborhoods. This is particularly appropriate for the Town of Cedarburg, which lies at the crossroads of many traffic patterns with diverse history of residential development. These Districts are intended to be pedestrian-friendly, socially active developments that include not only shops, but also offices, residences, active streets, public places, and other amenities intended to serve Town residents and businesses.

Business District-Deckers Corners and Horns Corners

These districts have the potential to become “small-scale” neighborhood business districts that serve the surrounding population. While these Districts would be smaller in scale than the Five Corners area, future development in these areas should adhere to the general site, landscape, and architectural guidelines established in the Five Corners Master Plan and codified design standards.

Within these business districts, a substantial landscape edge should be required between non-compatible uses (commercial adjacent to residential) where appropriate. At the Town’s discretion, developments 5,000 square feet and less (ground floor footprint) may be permitted with no PUD required; developments greater than 5,000 square feet and 30,000 square feet and less may be permitted through the use of a PUD; and developments greater than 30,000 square feet are not permitted.

Typical zoning classifications allowed in these Districts are:

- B-1 Neighborhood Business District
- B-2 Planned Business District
- ~~B-3 Business District~~
- C-1 Conservancy District
- P-1 Public & Private Park District
- A-1 Agricultural District
- A-2 Prime Agricultural District

Business District-Five Corners

As traffic continues to increase in the Five Corners area, new opportunities will evolve for increased development. This District ~~should be is~~ planned and designed as a major Town Center in the manner of a traditional mixed-use area. Planned development uses within this District will vary depending on the location of the development within the District. A mixed-use development, with a combination of commercial, retail, recreation and related uses, professional office, and residential options, is planned for the District on the north side and within 400 feet of STH 60 (expanding to within 650 feet east of Covered Bridge Road on the north side of STH 60) and those existing parcels adjacent to Washington Avenue on the south side of STH 60. Residential uses within the District may be mixed with other urban uses as part of the same building, on the upper floors of the building, and single-family residences behind the established setback areas, with a minimum of one-acre lots, may be developed beyond 400 feet from and the north side STH 60 (expanding to within 650 feet east of Covered Bridge Road on the north side of STH 60). A mixed-use development is also planned for the District on the south side of STH 60, however, the development of single-family residences is not permitted. Also on the south side of STH 60, lands associated with the former landfill and an adjacent 40-acre parcel within the District are planned for recreational uses with other complimentary uses (lodging, restaurants, medical clinics, etc.) creating a regional destination building off of the Korb Sports Complex and adjacent indoor recreation facility and medical uses. The existing industrial area along Sycamore Drive on the south side of STH 60 is planned to remain in industrial use. The layout of the entire District this area should follow the general principles established by the Five Corners Master Plan.

At the Town's discretion, developments greater than 30,000 square feet (ground floor footprint) may be permitted through the use of a General Development Plan. Properties in Business District-Five Corners may be subject to the Town Center Overlay Zoning District.

Typical zoning classifications allowed in the Business District-Five Corners are:

- R-1 Single-Family Residential District
- R-2 Single-Family Residential District
- R-3 Single-Family Residential District
- B-1 Neighborhood Business District
- B-2 Planned Business District
- ~~B-3 Business District~~
- TCOD Town Center Overlay District
- MU-1 Mixed Use District
- MU-2 Mixed Use District
- MU-3 Mixed Use District
- I-1 Institutional District
- ~~M-1 Industrial District (through the use of a GDP)~~
- ~~M-2 Planned Industrial (through the use of a GDP)~~
- C-1 Conservancy District

- P-1 Public & Private Park District
- A-1 Agricultural District
- A-2 Prime Agricultural District

Business District-Columbia

This district has the potential to become a “small-scale” neighborhood business district that serves the surrounding population. While this District would be smaller in scale than the Five Corners area, future development in this area should adhere to the general site, landscape, and architectural guidelines established in the Five Corners Master Plan [and codified design standards](#).

Within this business district, a substantial landscape edge should be required between non-compatible uses (commercial adjacent to residential) where appropriate. At the Town’s discretion, developments 5,000 square feet and less (ground floor footprint) may be permitted with no PUD required; developments greater than 5,000 square feet and 30,000 square feet and less may be permitted through the use of a PUD; and developments greater than 30,000 square feet are not permitted.

Typical zoning classifications allowed in these Districts are:

- TR Transitional Residential District
- TR-2 Transitional Residential District
- CR-A Countryside Residential A
- CR-B Countryside Residential B
- B-1 Neighborhood Business District
- B-2 Planned Business District
- ~~B-3 Business District~~
- C-1 Conservancy District
- P-1 Public & Private Park District
- A-1 Agricultural District
- A-2 Prime Agricultural District

Historic District-Hamilton

This district has the potential to become a “small-scale” neighborhood district that serves the surrounding population. While this District would be smaller in scale than the Five Corners area, future development in this area should adhere to the general site, landscape, and architectural guidelines established in the Five Corners Master Plan [and codified design standards](#). The applicant may be encouraged to follow historic preservation guidelines as established by the Town [and must obtain Landmarks Commission approval before building permits are issued](#).

Within this district, a substantial landscape edge should be required between non-compatible uses (commercial adjacent to residential) where appropriate. At the Town’s discretion, developments 30,000 square feet and less

may be permitted through the use of a PUD, while developments greater than 30,000 square feet are not permitted.

Typical zoning classifications allowed in Historic District-Hamilton are:

- TR Transitional Residential District
- TR-2 Transitional Residential District
- E-1 Estate District
- CR-A Countryside Residential A
- CR-B Countryside Residential B
- B-1 Neighborhood Business District
- B-2 Planned Business District
- ~~B-3 Business District~~
- C-1 Conservancy District
- P-1 Public & Private Park District
- A-1 Agricultural District
- A-2 Prime Agricultural District

~~Farmland Protection District~~

~~Farmland Protection areas occupy 264 acres, or about 1.7 percent, of the Town 2035 planned land use map. The farmland protection category allows for all agricultural uses and recommends a minimum parcel size of 35 acres or a LESA score of 6.4 or greater. The plan encourages continuation of agricultural activity in this area including dairy farming, row crops and niche agriculture such as orchards and organic farming. This land use discourages residential development and land divisions, except for associated agricultural-related residences.~~

~~Typical zoning classifications allowed in this District are:~~

- ~~A-1 Agricultural District~~
- ~~A-2 Prime Agricultural District~~

~~3) CORRIDORS~~

~~There are three designated Corridors proposed in the Town of Cedarburg.~~

~~The Corridors are:~~

- ~~Arterial Parkway Corridor Highway NN~~
- ~~Arterial Parkway Corridor STH 60~~
- ~~Arterial Parkway Corridor Wauwatosa Road~~

~~These Corridors are intended to allow a more compact form of development with generous provisions of landscape features along the public right-of-way. Commercial and residential development in these Corridors would be less intensive than development within the Neighborhoods and Districts.~~

~~Within each Corridor, new development and substantial redevelopment will incorporate parkway landscaping to assist in preserving the rural character of the Town. Parkway landscapes are heavily landscaped areas along existing arterial roadways (as identified by these Corridors). Parkways shall include a double row of canopy shade trees planted in a rhythmic pattern with a possible walkway or bicycle path located between the rows. The edge of the parkway along the private property line shall include an ornamental fence or continuous coniferous hedge of at least 4' in height whenever a parking lot abuts the public right of way. The parkway landscape shall not include berms.~~

~~Arterial Parkway Corridor – Highway NN~~

~~This Corridor represents the continuation of existing residential uses serviced by Business District – Deckers Corners and Horns Corners (nodes of “small scale” neighborhood commercial uses). Such uses are expected to continue; however, the Corridor should not become as commercially dominated as the proposed Business District – Five Corners. At the Town’s discretion, developments >5,000 square feet and <30,000 square feet may be permitted through the use of a PUD, while developments >30,000 square feet are not permitted.~~

~~Typical zoning classifications allowed in Arterial Parkway Corridor – Highway NN are:~~

- ~~● A-1 – Agricultural District~~
- ~~● A-2 – Prime Agricultural District~~
- ~~● TR – Transitional Residential District~~
- ~~● TR-2 – Transitional Residential District~~
- ~~● E-1 – Estate District~~
- ~~● CR-A – Countryside Residential A~~
- ~~● CR-B – Countryside Residential B~~
- ~~● B-1 – Neighborhood Business District~~
- ~~● B-2 – Planned Business District~~
- ~~● B-3 – Business District~~
- ~~● C-1 – Conservancy District~~
- ~~● P-1 – Public & Private Park District~~

~~Arterial Parkway Corridor – STH 60~~

~~This Corridor represents the continuation of existing residential uses serviced by Business District – Five Corners. However, based on future traffic counts, this Corridor may support nodes of “medium scale” commercial uses (i.e. hardware store, grocery store, etc). These uses should not compete with the proposed commercial market for the Business District – Five Corners. At the Town’s discretion, developments <30,000 square feet may be permitted through the use of a PUD.~~

~~Typical zoning classifications allowed in Arterial Parkway Corridor – STH 60 are:~~

- ~~● TR – Transition Residential~~
- ~~● TR-2 – Transition Residential~~
- ~~● E-1 – Estate District~~
- ~~● CR-A – Countryside Residential A~~
- ~~● CR-B – Countryside Residential B~~
- ~~● B-1 – Neighborhood Business District~~
- ~~● B-2 – Planned Business District~~
- ~~● B-3 – Business District~~
- ~~● C-1 – Conservancy District~~
- ~~● P-1 – Public & Private Park District~~
- ~~● A-1 – Agricultural District~~
- ~~● A-2 – Prime Agricultural District~~

~~Arterial Parkway Corridor – Wauwatosa Road~~

~~This Corridor represents the continuation of existing mixed residential uses. On a case by case basis, limited “small scale” neighborhood commercial uses may be permitted. At the Town’s discretion, developments <30,000 square feet may be permitted through the use of a PUD, while developments >30,000 square feet are not permitted.~~

~~Typical zoning classifications allowed in Arterial Parkway Corridor – Wauwatosa Road are:~~

- ~~● TR – Transition Residential~~
- ~~● TR-2 – Transition Residential~~
- ~~● E-1 – Estate District~~
- ~~● CR-A – Countryside Residential A~~
- ~~● CR-B – Countryside Residential B~~
- ~~● B-1 – Neighborhood Business District~~
- ~~● B-2 – Planned Business District~~
- ~~● C-1 – Conservancy District~~
- ~~● P-1 – Public & Private Park District~~
- ~~● A-1 – Agricultural District~~
- ~~● A-2 – Prime Agricultural District~~

~~Urban Reserve (Overlay)~~

~~It is envisioned that urban development may continue to occur on an incremental basis along STH 60, primarily west of the planned Five Corners Business District. It is understood that lands located within the Urban Reserve (Overlay) area are not being discouraged from or pressured to be developed and property owners are able to~~

develop their land for urban purposes sometime in the future in accordance with this Plan and in accordance with all applicable Ordinances and regulations. Therefore, lands located within the Urban Reserve (Overlay) area in Figure 4 may still be zoned agricultural and used for agricultural purposes or zoned residential in areas to be developed or redeveloped for urban uses. Rezoning that would accommodate residential, commercial, and other urban uses can be undertaken when a property owner submits a request that specifies a proposed use of the property that is consistent with the comprehensive plan and other applicable ordinance requirements contingent on the availability of utilities and services. Furthermore, lands located within the Urban Reserve (Overlay) in Figure 4 should be viewed as being available for urban development after most of the Five Corners Business District is developed.

The Urban Reserve (Overlay) area is considered to be an expansion of and compliment to the Five Corners Business District and any development planned for the Urban Reserve (Overlay) area should be consistent with the uses permitted in the Five Corners Business District. Planned development in the Urban Reserve (Overlay) area is expected to occur within 650 feet on both the north and south sides of STH 60 west of the Five Corners Business District. It is also envisioned that development in the Urban Reserve (Overlay) area would occur in an orderly manner westward from the planned Five Corners Business District, however, any impending development proposals (should include a General Development Plan) not occurring in an orderly manner will be evaluated by the Town Board on a case-by-case basis.

At such time as the areas identified as an Urban Reserve (Overlay) along STH 60 are proposed to be developed with urbanized uses in accordance with the underlying land use designation and all applicable ordinances and regulations, and the property is rezoned in accordance with the planned land uses shown in Figure 4, this plan should be amended and the Urban Reserve Overlay designation should be removed.

Primary Environmental Corridor (Overlay)

One of the most important tasks completed under the regional planning program for Southeastern Wisconsin is the identification and delineation of areas in which concentrations of the best remaining elements of the natural resource base occur. Under the regional planning program, seven elements of the natural resource base have been considered essential to the maintenance of the ecological balance, natural beauty, and overall quality of life: 1) lakes, rivers, and streams, and their associated riparian buffers and floodlands; 2) wetlands; 3) woodlands; 4) prairies; 5) wildlife habitat areas; 6) wet, poorly drained, and organic soils; and 7) rugged terrain and high-relief topography. In addition, certain other elements, although not part of the natural resource base, are a determining factor in identifying and delineating areas with recreational, aesthetic, ecological, and cultural value. These five additional elements are: 1) existing park and open space sites; 2) potential park and open space sites; 3) historic sites; 4) scenic areas and vistas; and 5) natural areas and critical species habitat sites.

Primary environmental corridors typically include a variety of the 12 natural resource and resource-related elements listed above and are at least 400 acres in size, two miles in length, and 200 feet in width. Preserving primary environmental corridors in essentially natural, open uses, yields many benefits, including recharge and discharge of groundwater; maintenance of surface and groundwater quality; attenuation of flood flows and

stages; maintenance of base flows of streams and watercourses; reduction of soil erosion; abatement of air and noise pollution; provision of wildlife habitat; protection of plant and animal diversity; protection of rare and endangered species; maintenance of scenic beauty; and provision of opportunities for recreational, educational, and scientific pursuits. As shown in Figure 4, primary environmental corridors in the Town are primarily located along the Milwaukee River and in the northern and western portions of the Town. The primary environmental corridors shown in Figure 4 are comparable to the Town's C-1 Conservancy Zoning District. It should be noted that the Town's mapped C-1 Conservancy Zoning District also includes areas of wetlands and floodplains that are located outside the primary environmental corridor.

This plan recommends that all primary environmental corridors within the Town be preserved to the extent practicable and that urban development be located entirely outside of primary environmental corridors. While calling for preservation of primary environmental corridors, this plan recognizes that in some cases very low-density residential development (at an overall density of one dwelling unit per five acres) could occur on the upland portion of such lands (that is, outside surface water and wetlands) and outside areas of steep slopes (slopes of 12 percent or greater). In addition to limited residential development, land uses such as transportation and utility facilities and certain recreational uses may also be accommodated within primary environmental corridors without jeopardizing their overall integrity.

LAND USE PLAN TABLE

The neighborhoods, ~~and~~ districts, ~~and corridors~~ as identified by the Land Use Plan Map shall be used in reviewing and approving changes in zoning, planned unit developments (PUDs), conditional uses, land divisions, land stewardship plans, road alignments and circulation improvements, and related development matters.

In all areas, the Land Use Plan shall allow for the continuation of existing land uses on existing lots and parcels that match the existing zoning at the time of adoption except otherwise restricted by Town ordinance or applicable law. Proposed land uses that do not match the zoning at the time of adoption, or require a land division, are not recommended by the Land Use Plan unless they are included in Table ~~78~~ of recommended land uses.

DEVELOPMENT GUIDELINES AND STANDARDS

Development guidelines were created as part of the Five Corners Master Plan. The guidelines contain regulations for site and building design for all properties contained within the Town Center boundary, as well as additional guidelines for the Main Street Sub-Area. These guidelines were customized to ensure the desired character and quality was achieved for the distinct areas within the Five Corners Business District.

The Town adopted separate Design Guidelines and Standards in 2014 via an ordinance that were incorporated into the Town Code. It is envisioned that the Town continue to maintain and potentially update design guidelines and standards as the Five Corners area develops to remain current with market trends and the vision for the Town as set out by the Plan Commission and Town Board.

As part of this chapter, it is recommended that the intent of those guidelines be utilized for each District identified in the Land Use Plan.

LAND USE CONDITIONS

In addition to the Land Use Plan, the “Natural Conditions that may Limit Building Site Development” and “Other Environmentally Sensitive Lands” maps are two integral components to the Town’s Land Use element. These maps are for informational purposes and are not regulatory maps; however, they should be utilized in coordination with the Land Use Plan when reviewing and approving changes in zoning, planned unit developments (PUDs), conditional uses, land divisions, land stewardship plans, road alignments and circulation improvements, and related development matters. A primary use of these maps shall be for the development of stewardship plans or preservation of environmental corridors or other environmentally sensitive areas.

Natural Conditions that May Limit Building Site Development

Figure 56 identifies natural features that may limit potential building site development. The natural features identified on Figure 56 are as follows:

- 100-Year Recurrence Interval Floodplain and Floodway
- ~~Floodway~~
- Hydric Soils
- Nonmetallic Mining Sites (existing)
- Surface Water
- Wetlands

Other Environmentally Sensitive Areas

Figure 67 identifies natural features that should be protected, buffered, or incorporated as an open space amenity as future development occurs. The natural features identified on Figure 67 are as follows:

- Primary Environmental Corridors
- Secondary Environmental Corridors
- Isolated Natural Resources
- Natural Areas
- Critical Species Habitat Sites
- Woodlands

POTENTIAL LAND USE PLAN CONFLICTS

An important issue when developing the Town’s Land Use Plan is the potential for conflicts with the plans of surrounding incorporated areas. This is complicated by the following policies:

- Villages and cities are allowed to develop plans for the areas outside their corporate boundaries which will include land in the Town of Cedarburg. [The City of Cedarburg has waived extraterritorial zoning and plat review as part of the 20-year boundary agreement with the Town for the duration of the agreement.](#)
- Ozaukee County is obligated to include the comprehensive plans of villages and cities within the County Plan regardless of whether or not such plans conflict with town plans. [This includes the land use plan maps for the areas within City and Village municipal boundaries.](#)
- As the Town adopted a Comprehensive Plan before January 1, 2010, State Statutes require land use decisions to be consistent with the comprehensive plan after January 1, 2010.
- The County could be in a position in reviewing a land use decision in the Town of Cedarburg that was consistent with the Town's Plan but inconsistent with the extraterritorial plans adopted by surrounding incorporated areas (i.e. [City of Cedarburg](#), Village of Grafton, [and](#) City of Mequon).
- The areas that may be subject to such extraterritorial plans are shown on Figure [78](#).
- Consistency of Town plans with comprehensive plans may also be considered as a basis for reviewing zoning decisions and plat decisions.

The "Consistency" Requirement

[Another area of potential land use plan conflict may occur in regard to implementation of the comprehensive planning law's consistency requirement. As set forth in Wisconsin State Statute 66.1001\(3\) "Consistent with" means furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan. As the Town \[has\]\(#\) adopted a comprehensive plan, ~~before January 1, 2010, beginning on January 1, 2010,~~ any of the following ordinances listed in Section 66.1001\(3\)\(g-q\) \[enacted or amended on or after January 1, 2010\]\(#\), shall be consistent with the comprehensive plan: ~~These may include~~ official mapping ordinances ~~enacted or amended under s. 62.23 \(6\);~~ local subdivision ordinances ~~enacted or amended under s. 236.45 or 236.46;~~ county zoning ordinances ~~enacted or amended under s. 59.69;~~ city or village zoning ordinances ~~enacted or amended under s. 62.23 \(7\);~~ town zoning ordinances ~~enacted or amended under s. 60.61 or 60.62;~~ or shore lands or wetlands in shore-lands zoning ordinances ~~enacted or amended under s. 59.692, 61.351 or 62.231.~~](#) Refer to s. 66.1001 for current language.

The specific issue of conflicts with regard to extraterritorial plat review deserves special consideration. For example, when a village exercises its authority for extraterritorial plat review, it is looking at the plat, not the land use. In such a context, the question of whether or not a plat is consistent with the land use plan may be a moot issue—that is, the plat and the land use are separate issues. ~~If the requirement for consistency between plats and land use is required in 2010, it will be a matter of debate whether a land division is implicitly a land use decision. From one perspective, it may be reasonable to argue that a plat is inconsistent with a comprehensive plan only if that plat is also accompanied by a change in land use.~~

Land Use Conflicts and Multi-Jurisdictional Plans

Current discussions of planning conflicts tend to focus on the relationship between incorporated areas and towns. However, there are many other types of planning and land use conflicts. ~~For example, transportation plans often conflict among federal, state, county, and local governments.~~ Many of these conflicts are resolved

through regulations and operational policies. The point, however, is that there are numerous conflicts in planning and land uses that occur throughout government operations. This is also true, for example, in planning for environmental preservation, wetlands, water use, historic preservation, and many other fields. The presence of such conflicts is routine and plans do not necessarily resolve all of these conflicts. Often, the solution is simply identifying the conflicts, defining the key issues, and suggesting procedures for minimizing or resolving conflicts. This approach could, for example, be recommended by the Town to be incorporated by the County in its comprehensive plan.

Land Use Conflicts are Legitimate and Appropriate Components of Plans

Land use and planning conflicts are not, by definition, inappropriate. Perhaps the simplest example is the concept of “mixed-use”. Most planning literature today defines mixed-use as a legitimate and desirable type of land use. However, a few decades ago mixed uses were considered rare and potentially threatening to property values. Mixed use by definition embodies the potential for multiple futures and alternatives. The same is true for different land use alternatives. It is reasonable to assert, from a planning perspective, that some areas or districts might be most appropriately planned with multiple futures. In fact, it could be argued that plans which define categorically only one appropriate future for an area may be misleading. In addition, most plans have provisions for amendments that are exercised with some frequency. This implies that land use alternatives are dynamic and that plans are being changed constantly. It is reasonable to accept the idea that land use plans with conflicting contents may both have some legitimacy.

Resolution of Alternative Planning Futures

For the Town of Cedarburg, the following policies should be considered for resolving different land use proposals from neighboring municipalities and from the County:

- Identify clearly that the presence of land use options is legitimate and desirable.
- Recognize that the Town’s image of its future is legitimate regardless of whether it does not match the image of a neighboring municipality.
- Indicate that there are many ways to meet the criterion for “consistency” if and when such a criterion is actually imposed.
- ~~Seek out municipal boundary agreements where they are possible.~~
- Suggest other ways of collaborative planning with adjacent communities and the County.

LAND USE

GOALS, OBJECTIVES, AND POLICIES

GOAL #1

Preserve the rural character to the greatest extent possible while planning for new development that and minimizes the visual impact and site disturbance of new residential development by managing conflicts between Land Use Districts.

OBJECTIVE

Locate land uses in appropriate areas (i.e. commercial and industrial uses should be located in close proximity to the highway system; residential areas should be located in rural/scenic areas while preserving the natural environment) and at appropriate densities.

POLICIES

Construction of new roads should respect existing contours and meander around existing large trees (drip line).

Disturbance resulting from the construction of roads, basins, and other improvements should be kept at a minimum.

Disturbance on individual lots should be limited when open space easements are used.

Locate homes ites that are part of a subdivision plat, when possible, adjacent to tree lines and wooded field edges, rather than isolated in the middle of open-view areas.

Preserve as part of a subdivision plat, existing trees and prohibit structures on lots with wooded slopes.

Preserve, as part of a subdivision plat, when possible, existing agricultural features and structures such as barns, silos, stone rows, and tree lines.

Promote the use of existing farm roads into the design of proposed subdivisions.

Utilize the descriptions of each Land Use Plan District and the development guidelines as a basis for land use decision making when reviewing development proposals.

GOAL #2

Protect and enhance the environmental assets of the Town.

OBJECTIVE

Preserve and maintain significant cultural features, natural areas, and environmental corridors.

POLICIES

Encourage the use of residential districts that require common open space where appropriate to preserve rural character and foster unique subdivision design.

Consider requiring landscape buffers for new residential development in addition to or as an alternative to common open space to retain rural character.

Consider ~~Plan~~ interconnected trail networks that will allow for exercise and movement among and between new developments, including any trails directly connecting to the Ozaukee Interurban Trail through the Town.

Preserve critical species habitats for wildlife to move throughout the area.

Encourage and possibly require the clustering of lots in order to yield open space that can remain in active agricultural use.

Consider establishing and reviewing amendments and additions to the zoning code to increase opportunities for the community as a whole to become more sustainable.

GOAL #3

Enhance the aesthetics of future development through the diversification of building types.

OBJECTIVE

Provide a variety of housing within the Town that will have a range in style, density, and price in order to meet the needs of residents differing in age, income, and lifestyle.

POLICIES

Continue to apply the shared driveways ordinance to encourage infill development. Consider increasing the number of lots that can be served by a shared driveway to reduce long-term maintenance costs to the Town and allow the owners to maintain the shared driveway to their standard.

~~Promote~~ Identify areas appropriate for the establishment of a senior care facility or retirement community in the Town, while considering the sewer/water and public safety required to service the facility(ies).

GOAL #4

Manage the potential for future annexations.

OBJECTIVE

Locate appropriate land use along municipal boundaries that will limit the loss of the Town land base through annexations.

POLICIES

Allow for smaller lot sizes (such as R and TR zoning) and PUDs to encourage complementary developments that are near~~about~~ the City of Cedarburg and Village of Grafton as noted on the Future Land Use Plan Map and Zoning Code.

Implement the Five Corners Master Plan and revise as needed.

Worldox #264578-3 – Town of Cedarburg CPU: Chapter 6 Text
110-1257
[JED/BRM/RLR/mid](#)
[07/08/2024](#); [07/03/2024](#); [06/11/2024](#)

TABLE 1: Agricultural Land Sales - Land with and without Buildings and Improvements (201904)

County	Ag. Land Continuing in Ag. Use			Ag. Land Being Diverted to Other Uses			Total of All Agricultural Land		
	Number of Transactions	Acres Sold	Ave. Dollars Per Acre	Number of Transactions	Acres Sold	Ave. Dollars Per Acre	Number of Transactions	Acres Sold	Ave. Dollars Per Acre
Ozaukee	108	590641	\$10,693 5,699	011	0785	\$0 19,733	1019	590 1,926	\$10,693 13,817
Kenosha	1145	4474,016	\$9,066 11,338	07	0557	\$0 25,070	1122	447 1,573	\$9,066 15,756
Milwaukee	0	0	\$0	0	0	\$0	0	0	\$0
Racine	198	903623	\$10,379 9,817	112	30806	\$5,803 11,115	20	933 1,429	\$10,232 11,581
Walworth	3735	2,805 4,326	\$9,380 6,777	18	132680	\$9,155 14,178	3843	2,937 5,006	\$9,370 7,621
Washington	139	501518	\$11,273 4,857	028	01,970	\$0 17,721	1337	501 2,488	\$11,273 14,494
Waukesha	96	244340	\$13,889 11,923	024	01,291	\$0 2,783	930	244 1,631	\$13,889 24,215
Southeastern District	9981	5,490 7,364	\$- 7,797	290	1626,089	\$- 18,565	101171	5,652 13,453	\$- 12,766

*Data is no longer available. Data was last provided in 2016.

Source: Wisconsin Agricultural Statistics Service

TABLE 2: Agricultural Land Sales - Land with and without Buildings and Improvements (~~2012~~1998)

County	Ag. Land Continuing in Ag. Use			Ag. Land Being Diverted to Other Uses			Total of All Agricultural Land		
	Number of Transactions	Acres Sold	Ave. Dollars Per Acre	Number of Transactions	Acres Sold	Ave. Dollars Per Acre	Number of Transactions	Acres Sold	Ave. Dollars Per Acre
Ozaukee	228	1,415	\$6,297	07	0325	\$03,874	2215	1,415	\$6,297
		443	2,625					768	3,312
Kenosha	1614	1,209	\$5,997	08	0444	\$04,485	1622	1,209	\$5,997
		704	5,806					1,148	9,196
Milwaukee	0	0	\$0	01	038	\$06,216	01	038	\$06,216
Racine	2812	1,327	\$7,011	05	0444	\$02,747	2817	1,327	\$7,011
		969	3,143					1,113	3,056
Walworth	3843	2,673	\$7,733	313	105833	\$8,062	4156	2,778	\$7,746
		3,257	3,363			5,089		4,090	3,670
Washington	1012	963	\$9,216	27	29242	\$6,255	1219	992	\$9,129
		705	3,796			6,163		947	4,290
Waukesha	811	320	\$10,056	014	0623	\$05,566	825	320	\$10,056
		616	4,603					1,239	5,037
Southeastern District	122	7,907	\$7,364	555	134	\$7,671	127	8,041	\$7,369
	100	6,694	3,790		2,649	7,100	155	9,343	4,766

Source: Wisconsin Agricultural Statistics Service

TABLE 3: Agricultural Land Sales - Land with and without Buildings and Improvements (Change ~~2012-2019~~~~1998–2004~~)

County	Ag. Land Continuing in Ag. Use			Ag. Land Being Diverted to Other Uses			Total of All Agricultural Land		
	Number of Transactions	Acres Sold	Ave. Dollars Per Acre	Number of Transactions	Acres Sold	Ave. Dollars Per Acre	Number of Transactions	Acres Sold	Ave. Dollars Per Acre
Ozaukee	-550%	-5822%	70417%	067%	0442%	0409%	-5527%	-5873%	70317%
Kenosha	-311%	-6344%	5195%	043%	025%	01588%	-310%	-6337%	5174%
Milwaukee	0%	0%	0%	0400%	0400%	0400%	0400%	0400%	0400%
Racine	-323%	-326%	48212%	0440%	0460%	0305%	-2918%	-3028%	46279%
Walworth	-349%	533%	21402%	-6738%	2618%	14179%	-723%	622%	21408%
Washington	3025%	-4827%	2228%	-100300%	-100744%	-100188%	895%	-49163%	23238%
Waukesha	1345%	-2445%	38159%	071%	0407%	050%	1320%	-2432%	38381%
Southeastern District	-19%	-3110%	-106%	-6064%	21130%	-161%	-2010%	-3044%	-168%

**Data was not available for 2019 to determine the percentage.*

Source: Wisconsin Agricultural Statistics Service

TABLE 4: Land Use Trends (2000-2020)

	Town of Cedarburg									Ozaukee County		
	2000-1980			2010-1990			2020-2000			2020-2000		
	Acres	% Dev. Area	% Total Area	Acres	% Dev. Area	% Total Area	Acres	% Dev. Area	% Total Area	Acres	% Dev. Area	% Total Area
Residential	2,724 1,846	72.6 69.7%	16.4 11.3%	2,930 2,024	73.6 70.8%	18.4 12.4%	3,129 2,713	74.7 73.0%	19.8 16.6%	21,381 18,938	55.70%	14.2 11.9%
Single Family	2,723 1,846	72.6 69.7%	16.4 11.3%	2,929 2,020	73.6 70.8%	18.4 12.4%	3,128 2,712	74.7 73.0%	19.8 16.6%	20,108 17,900	52.40%	13.3 11.2%
Two Family	10	0.0%	0.0%	1	0.0%	0.0%	1	0.0%	0.0%	581 453	1.53%	0.43%
Multi Family	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	683 573	1.87%	0.54%
Mobile Home	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	9 42	NA	NA
Commercial	57 35	1.53%	0.32%	7345	1.86%	0.43%	8856	2.145%	0.63%	1,315 933	3.427%	0.96%
Industrial	26 18	0.7%	0.24%	2122	0.58%	0.1%	3820	0.95%	0.24%	1,332 978	3.529%	0.96%
Transportation	879 684	23.4 25.7%	5.3 4.2%	887 694	224.3%	5.642%	833 859	19.9 23.1%	5.3%	10,219 9,990	26.6 29.0%	6.83%
Arterial Street ROW's	337 222	9.084%	2.044%	308 222	7.78%	1.94%	308 304	7.482%	2.049%	4,201 4,021	10.9 11.7%	2.85%
Non-arterial Street ROW's	465 378	12.4 14.3%	2.83%	503 383	12.6 13.4%	3.223%	508 478	12.19%	3.229%	5,286 5,127	13.8 14.9%	3.52%
Railroad ROW's	45	0.12%	0.0%	25	0.12%	0.0%	54	0.1%	0.0%	434 458	1.13%	0.3%
Communication and Utilities	73 76	21.9%	0.5%	74 84	1.929%	0.5%	1273	0.320%	0.14%	298 384	0.841%	0.2%
Governmental and Institutional	39 34	1.03%	0.2%	4237	1.13%	0.32%	4038	0.940%	0.2%	1,438 1,145	3.73%	0.907%
Recreational	30 36	0.814%	0.2%	2934	0.742%	0.2%	6130	1.508%	0.42%	2,728 2,456	7.1%	1.85%
Urban Subtotal	3,754 2,650	100.0%	22.6 16.2%	3,981 2,853	100.0%	25.0 17.4%	4,189 3,716	100.0%	26.5 22.7%	38,413 34,440	100.0%	25.5 21.6%
Natural Resource Areas	3,435 3,124	26.7 22.8%	20.7 19.1%	3,854 3,266	32.2 24.2%	24.1 20.0%	4,035 3,401	34.8 26.9%	25.6 20.8%	30,906 27,892	27.5 22.4%	20.5 17.6%
Woodlands	881 741	6.8 5.4%	5.3 4.5%	881 814	7.360%	5.50%	1,100 866	9.569%	7.053%	8,471 7,863	7.563%	5.60%
Wetlands	2,348 2,158	18.3 15.7%	14.1 13.2%	2,702 2,220	22.6 16.4%	16.9 13.6%	2,657 2,331	22.9 18.4%	16.8 14.3%	19,774 17,750	17.6 14.3%	13.1 11.2%
Surface Water	206 225	1.6%	1.34%	271 232	2.347%	1.74%	278 204	2.446%	1.82%	2,661 2,279	2.448%	1.84%
Agricultural	8,332	64.8	50.2	7,366	61.5	46.2	5,206	44.8	33.0	64,255	57.3	42.6

Worldox #264582 – Town of Cedarburg CPU: Chapter 6 – Table 4
 110-1257
 mid
 11/10/2023

	9,861	72.0%	60.3%	9,500	70.4%	58.1%	8,163	64.6%	49.9%	85,799	69.0%	54.0%
Extractive and Landfill	95100	0.87%	0.6%	70127	0.69%	0.48%	2095	0.28%	0.16%	545 662	0.5%	0.4%
Open Lands	991 619	7.74.5%	5.93.8%	683608	5.74.5%	4.33.7%	2,342 979	20.2 7.7%	14.8 6.0%	16,522 10,003	14.7 8.1%	11.0 6.4%
Nonurban Subtotal	12,853 13,704	100.0%	77.4 83.8%	11,973 13,501	100.0%	75.0 82.6%	11,603 12,638	100.0%	73.5 77.3%	112,228 124,356	100.0%	74.5 78.4%
Total	16,607 16,354	~	100.0%	15,954 16,354	~	100.0%	15,792 16,354	~	100.0%	150,641 158,796	~	100.0%

Source: SEWRPC

TABLE 5: Town of Cedarburg Zoning Ordinance-Summary of District Regulations

District	Typical Principal Uses	Typical Conditional Uses	Minimum Lot Size	Minimum / Maximum Floor Area (squarefeet)
R-1 Single-Family Residential District	One-family dwellings on land that currently exists in this zoning classification. No other lands not already zoned R-1 shall be rezoned to the same	Bed and breakfast establishments, governmental and cultural uses, utilities, planned unit developments, <u>single</u> residential unit used by the owner or operator of a contiguous business, and <u>municipal earth and sanitary landfills, home occupations, professional offices, and group child-care centers, retirement and senior care facilities, second single-family dwelling units</u>	80,000 sf.	1,800 minimum; 1,200 first floor minimum for two story
R-2 Single-Family Residential District	One-family dwellings on land that currently exists in this zoning classification. No other lands not already zoned R-2 shall be rezoned to the same	Bed and breakfast establishments, governmental and cultural uses, utilities, schools and churches, planned unit developments, home occupations, and professional offices, and group child-care centers, <u>single</u> residential unit used by the owner or operator of a contiguous business, private athletic clubs, quilt shops, <u>municipal earth and sanitary landfills, retirement and senior care facilities, second single-family dwelling units</u>	40,000 sf.	1,500 minimum; 1,000 first floor minimum for two story
R-3 Single-Family Residential District	One-family dwellings on land that currently exists in this zoning classification. No other lands not already zoned R-3 shall be rezoned to the same	Bed and breakfast establishments, governmental and cultural uses, utilities, schools and churches, planned unit developments, meeting places of a noncommercial nature, clinics, homes for the aged and children's nurseries, home occupations, and professional offices, and group child-care centers, boarders and lodgers, <u>single</u> residential unit used by the owner or operator of a contiguous business, <u>municipal earth and sanitary landfills, retirement and senior care facilities, second single-family dwelling units</u>	40,000 sf.	1,200 minimum; 1,000 first floor minimum for two story

District	Typical Principal Uses	Typical Conditional Uses	Minimum Lot Size	Minimum / Maximum Floor Area (square feet)
B-1 Neighborhood Business District	N/A <u>Drug stores, delicatessens, florists, business and professional offices</u>	Bakeries, banquet facilities , barbershops, bars, beauty shops, bed and breakfast establishments, business offices , clinics, clothing stores, cocktail lounges, confectioneries, delicatessens, drug stores , fish markets, florists, fruit stores, gift stores, governmental and cultural uses , grocery stores, hardware stores, hobby shops, home occupations, laundry , lodges, meat markets, optical stores, packaged beverage stores, private athletic clubs, professional offices, public passenger transportation terminals, residential dwellings, residential unit used by the owner or operator of a contiguous business, restaurants , self-service and pickup laundry and dry-cleaning establishments, soda fountains, sporting goods, supermarkets, tobacco stores, utilities , vegetable stores, restaurants, bed and breakfast establishments, governmental and cultural uses, utilities, public passenger transportation terminals, single residential unit used by the owner or operator of a contiguous business, retirement and senior care facilities vehicle uses, municipal earth and sanitary landfills	Half acre	Not specified
B-2 Planned Business District	N/A <u>Financial institutions, appliance stores, furniture stores</u>	Appliance stores, c Clothing repair shops, crockery stores , department stores, electrical supply, financial institutions , food lockers, furniture stores , hotels, laundry and dry-cleaning establishments employing not over 7 persons, liquor stores, music stores, newspaper offices and press rooms, nightclubs, office supply stores, pawnshops, personal service establishments, massage establishments , pet shops, photographic supply stores, places of entertainment, plumbing supply stores, printing, private clubs, private schools, publishing, radio and television broadcasting studios, secondhand stores, television broadcasting studios , variety stores, bed and breakfast establishments governmental and cultural uses, utilities, public passenger transportation terminals, retirement and senior care facilities , drive-in theaters, drive-in establishments serving food or beverages for consumption outside the structure, motels, funeral homes, drive-in banks, tourist homes, vehicle uses, arcades, bowling alleys, clubs, dance halls, driving ranges, gymnasiums, lodges, miniature golf, physical culture, pool and billiard halls, racetracks, rifle ranges, Turkish baths, skating rinks, theaters, sport fields, municipal earth and sanitary landfills	Half acre	Not specified

B-3	Business District	<u>N/A*Professional offices, retail shops and stores</u>	General merchandising establishments, general wholesaling establishments, printing and publishing, community service facilities, retail stores and shops, general warehousing or warehousing in connection with any permitted use, studios, transportation terminals, upholstery, laundry, cleaning, pressing and dyeing establishments, distributors, food locker plants, tool and die design and production, woodworking shops not requiring outside dust collection equipment, commercial greenhouses, automotive body repairs, farm machinery sales and service, storage and sale of machinery and equipment, trade and contractors' offices and yards, laboratories, public passenger transportation terminals, bed and breakfast establishments, landfills <u>Business offices, general merchandising establishments, general wholesaling establishments, automotive body repair, cleaning, commercial greenhouses, community service facilities, distributors, farm machinery sales and service, food locker plants, general warehousing or warehousing in connection with any principal use, laboratories, laundry, pressing and dyeing establishments, trade and contractor's offices, printing and publishing, storage and sale of machinery and equipment, studios, tool and die design and production, transportation terminals, upholstery, woodworking shops not requiring outside dust collection equipment, day care</u>	Half acre	Not specified
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District	Typical Principal Uses	Typical Conditional Uses	Minimum Lot Size	Minimum / Maximum Floor Area (square feet)
M-1 Industrial District	Automotive body repairs, upholstery, cleaning, pressing and dyeing establishments, commercial bakeries, commercial greenhouses, distributors, farm machinery, food locker plants, laboratories, machine shops, manufacture and bottling of nonalcoholic beverages, painting, printing, publishing, storage and sale of machinery and equipment, professional offices, trade and contractor's offices, warehousing and wholesaling; manufacture, fabrication, processing, packing, packaging, and assembly of products from: (see <u>Town</u> zoning code for full list)	Airfields, governmental and cultural uses, utilities, public passenger transportation terminals, schools and churches , animal hospitals, disposal facilities, pea vineries, creameries, condenseries, manufacturing and processing of specific materials (see <u>Town</u> zoning code), commercial service facilities, planned industrial developments , bed and breakfast establishments, <u>municipal earth and sanitary landfills</u> , <u>governmental and cultural uses</u> , <u>retirement and senior care facilities</u> , <u>sport fields</u> , <u>mobile tower siting and collocation</u>	One acre	Not specified
M-2 Planned Industrial and Mixed-Use District	N/A <u>Professional offices, trade and contractor's offices not less than 5,000 square building feet per office, storage and sale of machinery equipment, single-family homes and multifamily condominium residential, commercial retail, any single structure greater than 30,000 square feet</u>	All M-1 principal uses; airfields, freight yards, freight terminals and transshipment depots, inside storage, breweries and crematories, existing nonmetallic mining operations, planned-unit developments, animal hospitals, disposal facilities, pea vineries, creameries, condenseries, manufacturing and processing of specific materials (see zoning code), outside storage and manufacturing areas, commercial service facilities, public passenger transportation terminals, utilities, landfills, bed and breakfast establishments; mineral extraction operations, Automotive body repairs, upholstery, cleaning, pressing and dyeing establishments, commercial bakeries, commercial greenhouses, distributors, farm machinery, food locker plants, laboratories, machine shops, manufacture and bottling of nonalcoholic beverages, painting, printing, publishing, warehousing not less than 5,000 square feet building per business; wholesaling; manufacture, fabrication, packing, packaging and assembly of products from: furs, glass, leather, metals, paper, plaster, plastics, textile, wood; manufacture, fabrication, processing, packaging and packing and assembly of: confections, cosmetics, electrical appliances, electrical devices, food (except cabbage, fish and fish products, meat and meat products and pea vining); instruments, jewelry, pharmaceuticals, tobacco, toiletries; freight yards, freight terminals and transshipment depots, breweries and crematories, existing nonmetallic mining operations, and indoor recreational and indoor athletic facility	<u>Single-use - Half acre; Mixed-use - One acre</u>	1,5200 minimum; 1,000 first floor minimum for two-story apply to existing residences
M-3 Quarrying District	Mineral extraction operations and concrete and concrete products manufacturing that are presently in existence	Extension of legally existing mineral extraction operations and manufacture of concrete and concrete products, creation of new such extraction or manufacturing operations, utilities, landfills, bed and breakfast establishments; mineral extraction operations, including washing, crushing or other processing	N/A	N/A

District	Typical Principal Uses	Typical Conditional Uses	Minimum Lot Size	Minimum / Maximum Floor Area (square feet)
A-1 Agricultural District	Apiculture, dairying, floriculture, forestry, general farming, grazing, greenhouses, hatcheries, horticulture, livestock and poultry raising, nurseries, orchards, paddocks, pasturage, stables, truck farming, viticulture	Agricultural buildings and high density animal enclosures within 500 feet of any residential district, existing nonmetallic mining operations, landscaping business of a nonretail nature, septic transportation business, airfields, utilities, other public and private institutions, planned unit developments , second single-family dwelling units, animal hospitals, disposal facilities, commercial production, pea vineries, creameries, and condenseries , housing for farm laborers, manufacturing and processing of specific materials (see zoning code) , storage, municipal earth and sanitary landfills, bed and breakfast establishments; mineral extraction operations, including washing, crushing or other processing; retirement and senior care facilities, office use for the provision of professional services and/or the sale of intangible personal goods, sport fields, mobile tower siting and collocation	5 acres	2,500 maximum for all new and existing nonresidential buildings; 1,500 maximum first floor per building 1,200 minimum; 1,000 first floor minimum for two-story apply to farm dwellings New buildings other than dwellings on lots less than eight acres in size shall not exceed 1,500 square feet on the first floor per building, with no more than 2,500 square feet for all new and existing nonresidential buildings. There shall be no limit on the square footage allowed for nonresidential buildings on lots eight acres or greater. Any newly constructed building greater than 1,500 square feet shall be subject to architectural design approval and site plan approval by the Plan Commission and Town Board
A-2 Prime Agricultural District	All A-1 principal uses	Agricultural buildings and high density animal enclosures within 500 feet of any residential district, existing nonmetallic mining operations, airfields, utilities, planned unit developments , second single-family dwelling units, commercial production, housing for farm laborers, manufacturing and processing of specific materials (see zoning code) , second single-family residence, veterinary services, storage, municipal earth and sanitary landfills, bed and breakfast establishments; mineral extraction operations, including washing, crushing or other processing; telecommunication facilities, retirement and senior care facilities, sport fields, mobile tower siting and collocation	35 acres	1,200 minimum; 1,000 first floor minimum for two-story apply to farm dwellings Not specified Any newly constructed building greater than 1,500 square feet shall be subject to architectural design approval and site plan approval by the Plan Commission and Town Board

C-1	Conservancy District	Drainageways, floodways, floodplains, fishing, hunting, <u>preservation of scenic, historic, and scientific areas-sites, public</u> fish hatcheries, soil and water conservation, sustained yield forestry, seeing <u>areas</u> , streambank and lake shore protection, water retention, and wildlife <u>habitat or preserves, and existing residences shall comply with the provisions of the R-3 Residential District</u>	Water measurement and control facilities, grazing, lodges , accessory structures, orchards, truck farming, and wild crop harvesting, bed and breakfast establishments, utilities, <u>and single-family dwelling, compatible with nearby residential zoning districts, shall comply with the provisions of the E-1 Estate District, sport fields</u>	N/A	N/A
P-1	Public and Private Park District	Parks, arboretums, playgrounds, fishing, wading, swimming, beaches, skating, sledding, sustained yield forestry, <u>wildlife habitat or preserves</u> , soil and water conservation, and water measurement and <u>water</u> control facilities	Airfields, governmental and cultural uses, bed and breakfast establishments, utilities, <u>municipal earth and sanitary</u> landfills, schools and churches, other public and private institutions, archery ranges, bathhouses, beaches, boating, camps, conservatories, driving ranges, firearm ranges, golf courses, gymnasiums, hiking trails, hunting, ice boating, marinas, music halls, polo fields, pools, riding, academies, skating rinks, stadiums, swimming pools, zoological and botanical gardens, sport fields, <u>mobile tower siting and collocation</u>	N/A	N/A

District		Typical Principal Uses	Typical Conditional Uses	Minimum Lot Size	Minimum / Maximum Floor Area (square feet)
E-1	Estate District	Single-family dwellings, agriculture, stables, grazing, pasturage, forestry, orchards, greenhouses, manmade recreation or wildlife ponds (with special permit)	Second single-family dwellings, bed and breakfast establishments, utilities, <u>municipal earth and sanitary landfills, retirement and senior care facilities</u>	4 acres	<u>Residences</u> 1,800 minimum; 1,000 first floor minimum for two story <u>Outbuildings</u> <u>Less than 2,000 square feet subject to standard building permit;</u> <u>Greater than 2,000 square feet subject to architectural design and site plan approval</u>
CR-A	Countryside Residential A District ^b	Single-family detached dwellings in cluster subdivision developments with a minimum open space requirement of 50 percent; accessory uses	Public or private parks, public or private schools/daycare, churches, home occupations and home professional offices , clubs and meeting places of a noncommercial nature, public <u>administration offices and service buildings, planned unit developments, public utility transmission and distribution lines, poles, and other accessories</u> , agricultural buildings <u>that exceed 1,000 square feet and exist at the time a lot is platted</u> , second single-family dwelling unit, bed and breakfast establishments, utilities, <u>municipal earth and sanitary landfills, retirement and senior care facilities</u>	One acre; density of one dwelling unit per 4.5 acres	1,500 minimum; 1,000 first floor minimum for two story
CR-B	Countryside Residential B District ^b	Single-family detached dwellings in cluster subdivision developments with a minimum open space requirement of 50 percent; accessory uses	All CR-A District conditional uses <u>unless otherwise specified below; agricultural buildings that exceed 1,500 square feet on lots less than 10 acres and exist at the time a lot is platted</u> , non domesticated animals, <u>other than horses</u> , and facilities <u>for such animals</u>	One acre; density of one dwelling unit per 4.5 acres	1,500 minimum; 1,000 first floor minimum for two story
TR	Transitional Residential District	Single-family detached dwellings; accessory uses Minimum open space requirement of 20%	All CR-A District conditional uses <u>Public or private parks, public or private schools and day cares, churches, clubs and meeting places of noncommercial purposes, bed and breakfast establishments, public administration offices and service buildings, public utility transmissions and distribution lines, poles, and other accessories, agricultural buildings that exceed 600 square feet and exist at the time a lot is platted, lots that do not have frontage to a public street</u>	1.5 acres; density of one dwelling unit per 2.25 acres	1,500 minimum; 1,000 first floor minimum for two story
TR-2	Transitional Residential 2 District	Single-family detached dwellings; accessory uses Minimum open space requirement of 30%	Public or private parks, churches, bed and breakfast establishments, utilities, landfills <u>public utility transmissions and distribution lines, poles, and other accessories, lots that do not have frontage to a public street</u>	One acre; density of one dwelling unit per 2 acres	1,500 minimum; 1,000 first floor minimum for two story

Note: This table is a summary of the Town of Cedarburg zoning code. Refer to the code for language regarding the Town Center Overlay District (TCOD) and (PUD) planned unit developments ~~(referred to as PDSP on the zoning map).~~

^a No principal uses permitted.

^b Land divisions containing five or more lots having individual lots parcels eight acres or greater in size are exempt from the clustering requirements of this district. Individual lots of a minor land division of four or fewer lots shall be a minimum of four acres and the open space may be common open space or open space located on private lots, but must be noted as permanent open space on the certified survey map.

Source: Town of Cedarburg Zoning Ordinance, adopted in January/December 1991 (includes legislation adopted through June 2022), and SEWRPC.

TABLE 6: Residential Development Projections – Maximum Amount of Lots Projected Within Each Zoning District at Full Buildout of the Town

PLANNED LAND USE MAP CATEGORY	Available Developable Lands (Acres)	RESIDENTIAL ZONING DISTRICT ^a								
		R-1 (1.84 acres/lot)	R-2 (0.92 acres/lot)	R-3 (0.92 acres/lot)	TR (2.25 acres/lot; 20% open space)	TR-2 (2.0 acres/lot; 30% open space)	E-1 (4.0 acres/lot)	CR-A (4.5 acres/lot; 50% open space)	CR-B (4.5 acres/lot; 50% open space)	A-1 (5.0 acres/lot)
Rural Neighborhood - Countryside	5,217	N/A	N/A	N/A	N/A	N/A	1,174	1,043	1,043	939
Residential Neighborhood - North	963 ^b	68 (Allowed in Section 14 only)	136 (Allowed in Section 14 only)	136 (Allowed in Section 14 only)	385	433	217	193	193	173
Residential Neighborhood - South	600	293	587	587	240	270	135	120	120	108
Five Corners Business District	259	84	167	167	N/A	N/A	N/A	N/A	N/A	N/A
Total	7,039	445	890	890	625	703	1,526	1,356	1,356	1,220

^a The Town assumes that about 10 percent of land is needed for infrastructure development within each district, thus the acreages represented already factor in those lands for infrastructure development.

^b Includes 139 acres within Section 14 only.

TABLE 7.8: Land Use Plan Table

LAND USE		ZONING CLASSIFICATIONS ALLOWED IN LAND USE DISTRICTS ⁴																	ADDITIONAL CONDITIONS								
MAP CODE	NAME	A-1	A-2	R-1	R-2	R-3	TR	TR-2	E-1	CR-A	CR-B	B-1	B-2	B-3	TCOD	M-1	M-2	M-3	C-1	MU-1	MU-2	MU-3	I-1	P-1	Common Open Space Requirements	Other	
NEIGHBORHOODS																											
RN-C	Rural Neighborhood - Countryside	√	√						√	√	√							√	√						√	Reference Town Code	At the Town's discretion, allow M-3 through the use of a CUP
RN-N	Residential Neighborhood - North	√	√	√	√	√	√	√	√	√	√								√						√	Reference Town Code	<u>R-1, R-2, and R-3 developments are only allowed in Section 14 of the Town for new land divisions</u>
RN-S	Residential Neighborhood - South	√	√	√	√	√	√	√	√	√	√								√						√	Reference Town Code	At the Town's discretion, allow higher density developments through the use of a PUD

LAND USE		ZONING CLASSIFICATIONS ALLOWED IN LAND USE DISTRICTS ¹																	ADDITIONAL CONDITIONS								
MAP CODE	NAME	A-1	A-2	R-1	R-2	R-3	TR	TR-2	E-1	CR-A	CR-B	B-1	B-2	B-3	TCOD	M-1	M-2	M-3	C-1	MU-1	MU-2	MU-3	I-1	P-1	Common Open Space Requirements	Other	
DISTRICTS																											
BD-DC	Business District - Deckers Corner	√	√									√	√	√					√						√	Reference Town Code	At the Town's discretion, allow developments <5,000 sf <u>and less</u> (ground floor footprint) with no PUD needed, >greater than 5,000 and <30,000 sf <u>and less</u> through the use of a PUD. >greater than 30,000 sf not permitted
BD-HC	Business District - Horns Corner	√	√									√	√	√					√						√	Reference Town Code	At the Town's discretion, allow developments <5,000 sf <u>and less</u> (ground floor footprint) with no PUD needed, >greater than 5,000 and <30,000 sf <u>and less</u> through the use of a PUD. >greater than 30,000 sf not permitted
BD-FC	Business District - Five Corners	√	√	√	√	√						√	√	√	√	√	√	√	√	√	√	√	√	√	√	Reference Town Code	1. Allow uses permitted in the M-1/M-2 through the use of a GDP. 2. At the Town's discretion, allow developments >greater than 30,000 sf (ground floor footprint) through the use of a GDP. 3. Properties subject to Town Center Overlay District.
BD-C	Business District - Columbia	√	√				√	√		√	√	√	√	√					√						√	Reference Town Code	At the Town's discretion, allow developments <5,000 sf <u>and less</u> (ground floor footprint) with no PUD needed, >greater than 5,000 and <30,000 sf <u>and less</u> through the use of a PUD. >greater than 30,000 sf not permitted
HD-H	Historic District - Hamilton	√	√				√	√	√	√	√	√	√	√					√						√	Reference Town Code	At the Town's discretion, allow developments <30,000 sf <u>and less</u> through the use of a PUD. >greater than 30,000 sf not permitted

MAP-CODE	LAND-USE NAME	ZONING CLASSIFICATIONS ALLOWED IN LAND USE DISTRICTS ¹															ADDITIONAL CONDITIONS							
		A-1	A-2	R-1	R-2	R-3	TR	TR-2	E-1	CPA	CPB	B-1	B-2	B-3	ICOD	MU-1	MU-2	MU-3	C-1	P-1	Common-Open-Space Requirements	Other		
CORRIDORS																								
APC-NN	Arterial Parkway Corridor— Highway-NN	✓	✓					✓	✓	✓	✓	✓	✓	✓							✓	✓	Reference Town Code	At the Town's discretion, allow developments <5,000 sf (ground floor footprint) with no PUD needed, >5,000 and < 30,000 sf through the use of a PUD. >30,000 sf not permitted
APC-60	Arterial Parkway Corridor— STH-60	✓	✓					✓	✓	✓	✓	✓	✓	✓							✓	✓	Reference Town Code	At the Town's discretion, allow developments > 30,000 sf (ground floor footprint) through the use of a PUD
APC-WR	Arterial Parkway Corridor— Wauwatosa Road	✓	✓					✓	✓	✓	✓	✓	✓	✓							✓	✓	Reference Town Code	At the Town's discretion, allow developments <30,000 sf through the use of a PUD. >30,000 sf not permitted

¹ Refer to Table 5 (Land Use Element) for the Summary of each Zoning Classification

NOTE: This table reflects the zoning districts in the current Town Zoning Code and the zoning districts proposed to be added to the Town Zoning Code as part of the Zoning Code update. The Town is proposing to add four new zoning districts (MU-1, MU-2, MU-3, and I-1 zoning districts) to the Town's Zoning Code and is proposing to remove three zoning districts from the current Town Zoning Code (B-3, M-2, and M-3 zoning districts). These proposed changes will be reflected upon adoption of the updated Zoning Code in early 2025.

Figure 1
Regional Land Use Plan as it Pertains to Ozaukee County: 2050

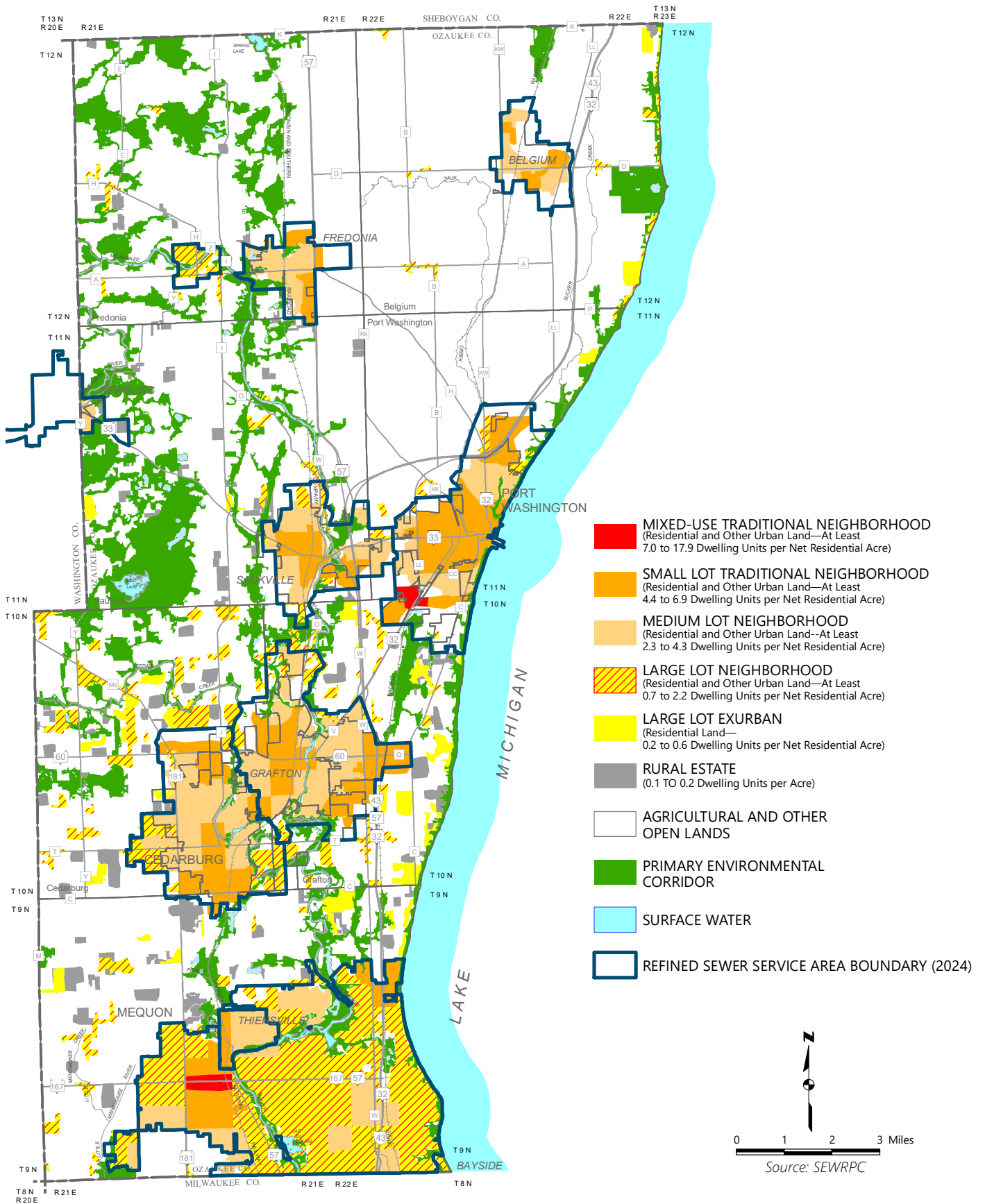
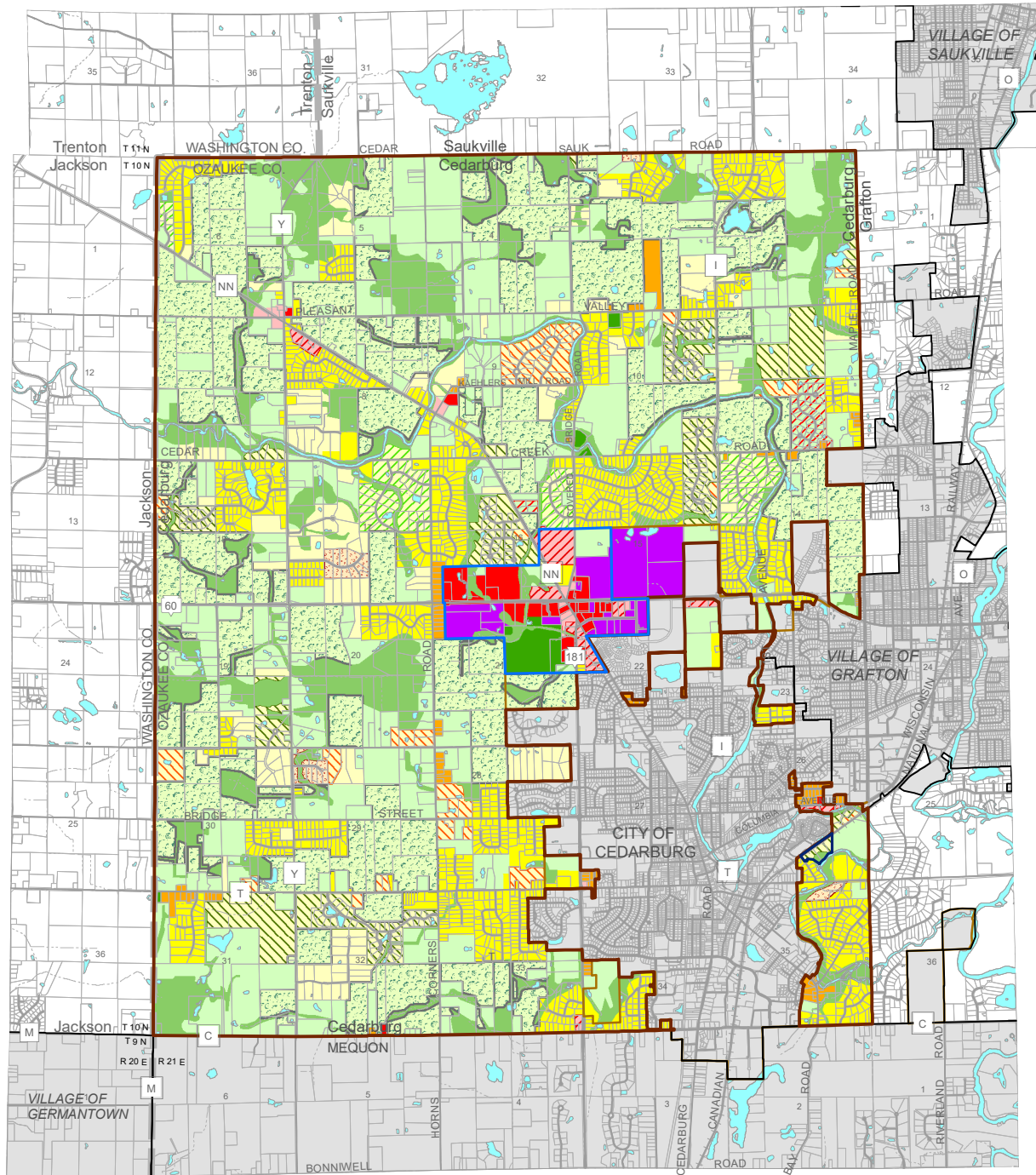






















Figure 2
Zoning in the Town of Cedarburg: 2023



- | | | | |
|---|---|---|--------------------------------------|
|  | TOWN OF CEDARBURG: 2023 |  | A-1 AGRICULTURAL DISTRICT |
|  | INTERGOVERNMENTAL AGREEMENT BOUNDARY: 2021-2041 |  | A-2 PRIME AGRICULTURAL DISTRICT |
|  | R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT |  | C-1 CONSERVANCY DISTRICT |
|  | R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT |  | P-1 PUBLIC AND PRIVATE PARK DISTRICT |
|  | R-3 SINGLE-FAMILY RESIDENTIAL DISTRICT |  | E-1 ESTATE DISTRICT |
|  | B-1 NEIGHBORHOOD BUSINESS DISTRICT |  | CR-A COUNTRYSIDE RESIDENTIAL A |
|  | B-2 PLANNED BUSINESS DISTRICT |  | CR-B COUNTRYSIDE RESIDENTIAL B |
|  | B-3 BUSINESS DISTRICT |  | TR TRANSITIONAL RESIDENTIAL |
|  | TCOD TOWN CENTER OVERLAY DISTRICT |  | TR-2 TRANSITIONAL RESIDENTIAL 2 |
|  | M-2 PLANNED INDUSTRIAL AND MIXED-USE DISTRICT |  | PUD PLANNED UNIT DEVELOPMENT OVERLAY |

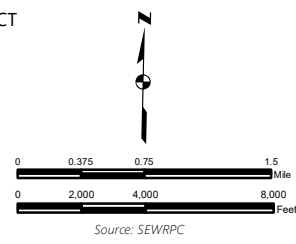
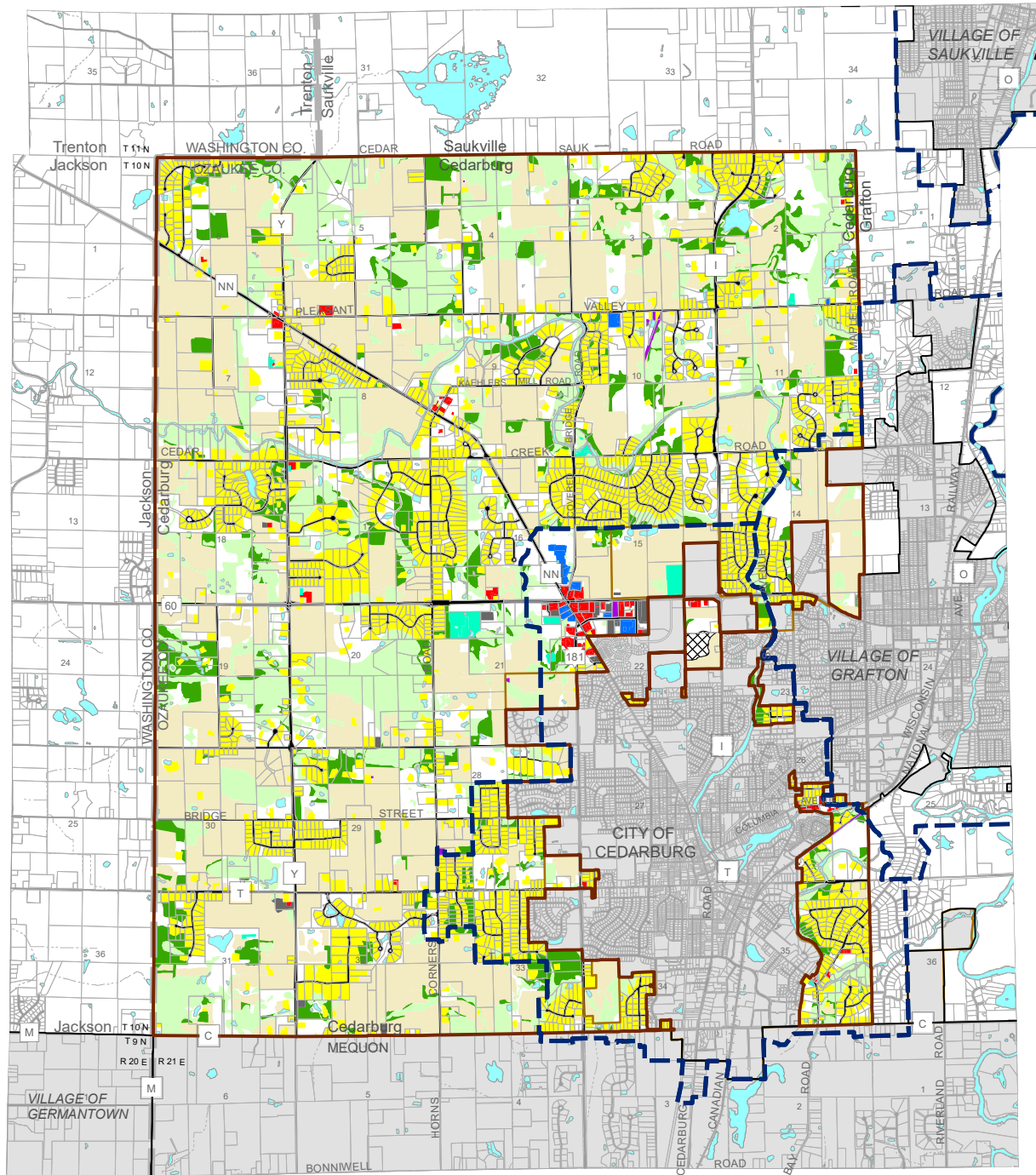



















Figure 3
Generalized Land Uses in the Town of Cedarburg: 2020



- | | | | |
|---|---|---|----------------------|
|  | TOWN OF CEDARBURG: 2023 |  | STREETS AND HIGHWAYS |
|  | INTERGOVERNMENTAL AGREEMENT BOUNDARY: 2021-2041 |  | RECREATIONAL |
|  | SEWER SERVICE AREA BOUNDARY (2024) |  | AGRICULTURAL |
|  | SINGLE-FAMILY RESIDENTIAL |  | OPEN SPACE |
|  | TWO-FAMILY RESIDENTIAL |  | EXTRACTIVE |
|  | COMMERCIAL |  | WETLANDS |
|  | INDUSTRIAL |  | WOODLANDS |
|  | TRANSPORTATION, COMMUNICATION, AND UTILITIES |  | SURFACE WATER |
|  | GOVERNMENTAL AND INSTITUTIONAL | | |

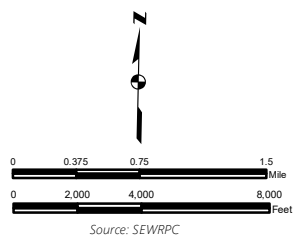
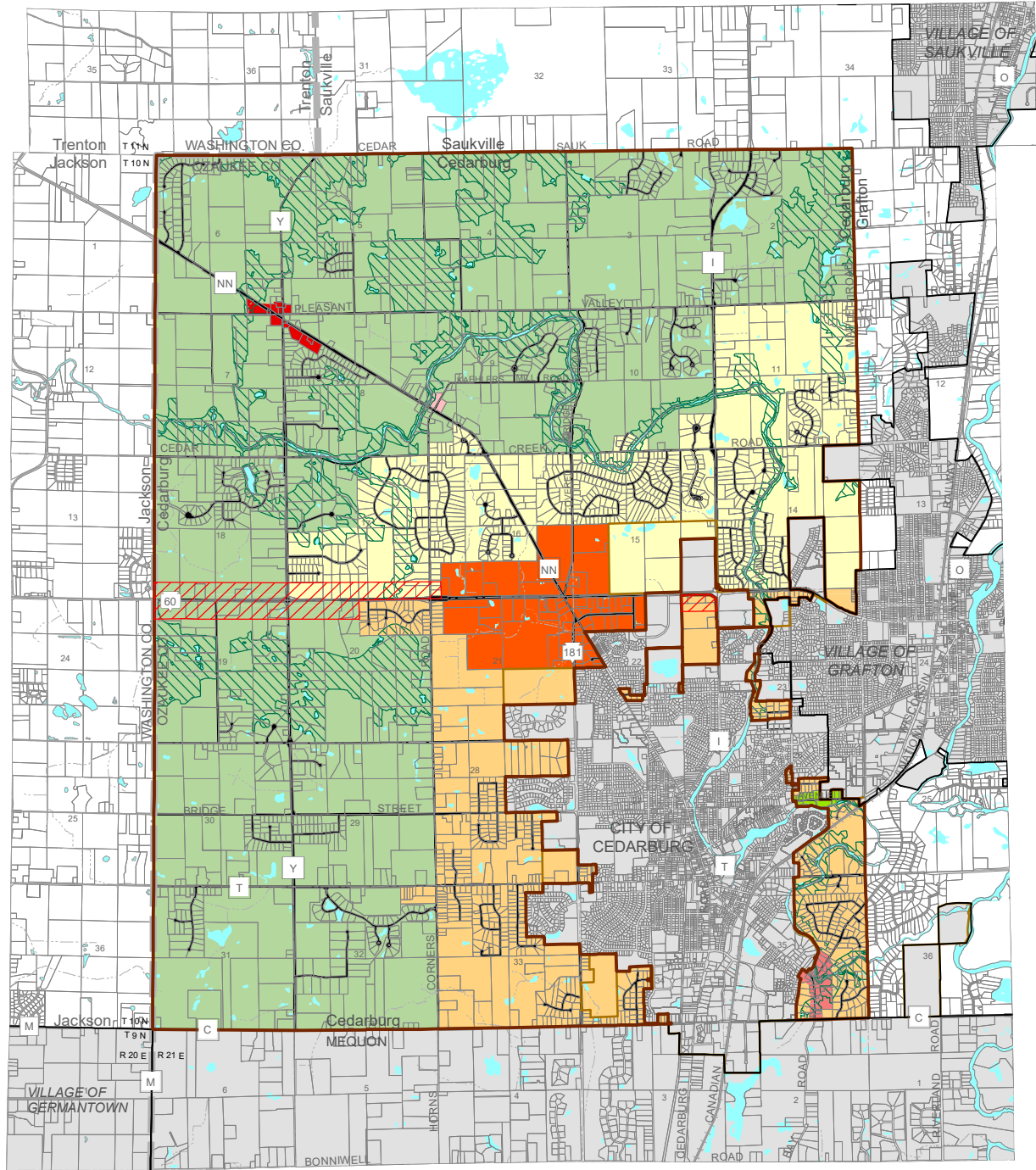


Figure 4
Town of Cedarburg Planned Land Use Map: 2050



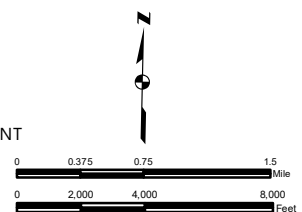
Neighborhoods

- RN-C
Rural Neighborhood - Countryside
- RN-N
Residential Neighborhood - North
- RN-S
Residential Neighborhood - South

Districts

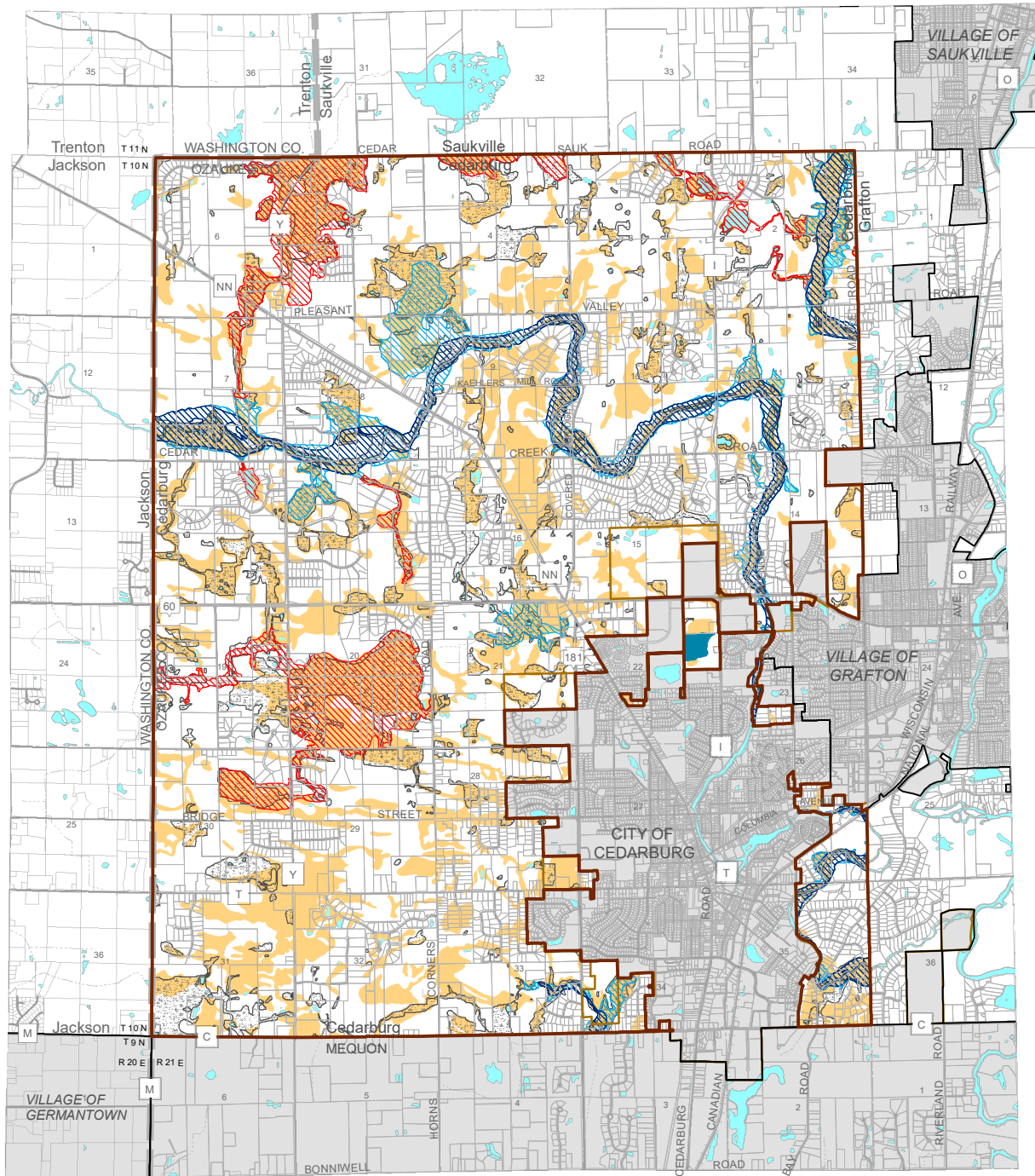
- BD-DC
Business District - Deckers Corners
- BD-HC
Business District - Horns Corners
- BD-C
Business District - Columbia
- HD-H
Historic District - Hamilton
- BD-FC
Business District - Five Corners







- STREETS AND HIGHWAYS
- URBAN RESERVE (OVERLAY)
- PRIMARY ENVIRONMENTAL CORRIDOR (OVERLAY)
- TOWN OF CEDARBURG: 2023
- INTERGOVERNMENTAL AGREEMENT BOUNDARY: 2021
- SURFACE WATER






Source: Town of Cedarburg and Southeastern Wisconsin Regional Planning Commission

Figure 5
Natural Conditions that May Limit Building Site Development in the Town of Cedarburg



-  TOWN OF CEDARBURG: 2023
-  INTERGOVERNMENTAL AGREEMENT BOUNDARY: 2021-2041
-  HYDRIC SOILS
-  NONMETALLIC MINING SITE
-  WETLANDS
-  1-PERCENT-ANNUAL-PROBABILITY (100-YEAR RECURRENCE INTERVAL) FLOODWAY BOUNDARY: 2021

-  1-PERCENT-ANNUAL-PROBABILITY (100-YEAR RECURRENCE INTERVAL) FLOODPLAIN BOUNDARY: 2021 (WITH FLOOD ELEVATIONS DETERMINED)
-  1-PERCENT-ANNUAL-PROBABILITY (100-YEAR RECURRENCE INTERVAL) FLOODPLAIN BOUNDARY: 2021 (WITH NO FLOOD ELEVATIONS DETERMINED)
-  SURFACE WATER

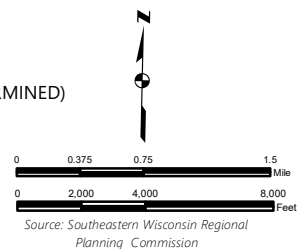


Figure 6
Other Environmentally Sensitive Areas in the Town of Cedarburg

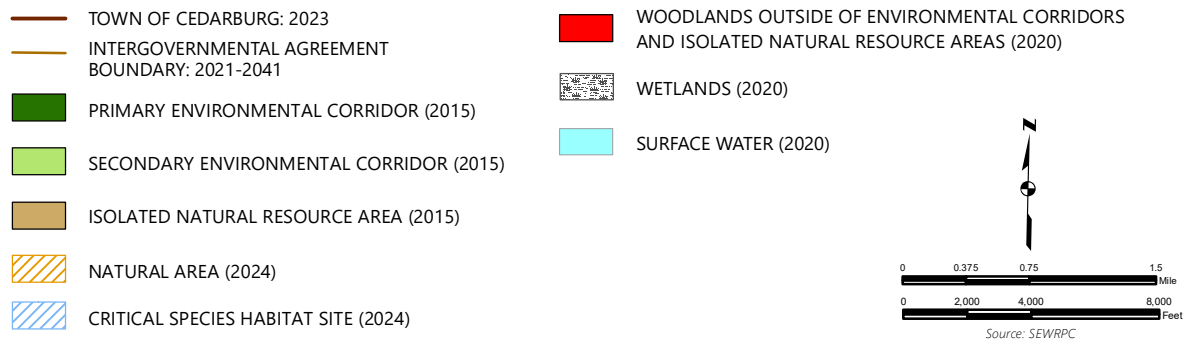
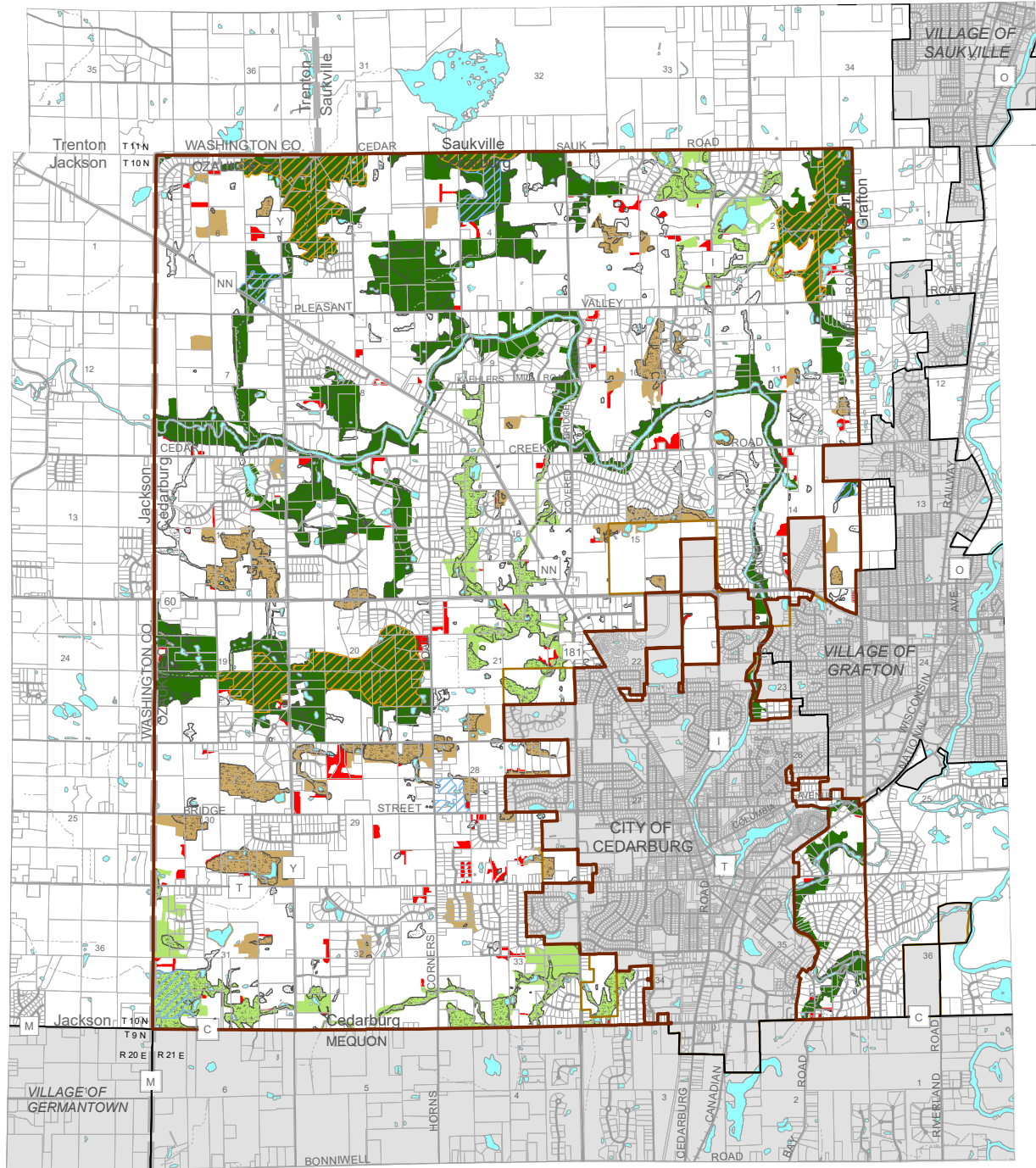
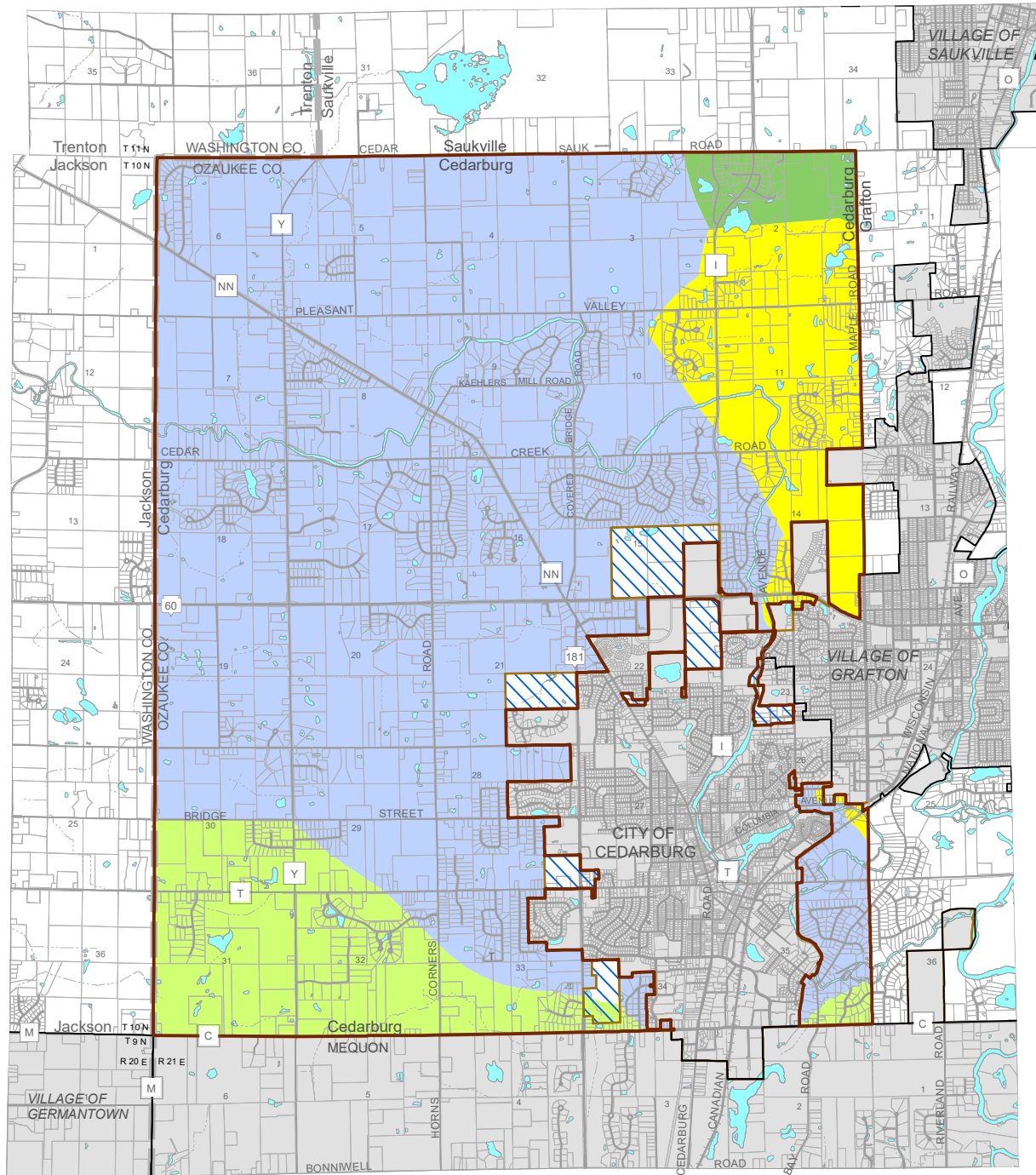


Figure 7
Extraterritorial Plat Review Jurisdiction for Cities and Villages in the Town of Cedarburg



EXTRATERRITORIAL AREAS WITH ADJUSTMENTS MADE FOR OVERLAPPING AREAS

- CITY OF MEQUON
- VILLAGE OF GRAFTON
- VILLAGE OF SAUKVILLE

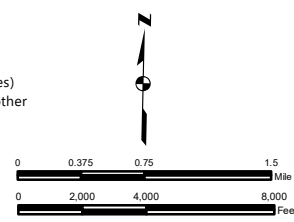
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CEDARBURG AND TOWN OF CEDARBURG

- TOWN AREA
(Town Lands with no Extraterritorial Plat Review: 2021-2041)
- CITY GROWTH AREA
(Areas Eligible for City of Cedarburg Annexation: 2021-2041)

- TOWN OF CEDARBURG: 2023
- INTERGOVERNMENTAL AGREEMENT BOUNDARY: 2021-2041

NOTE: The full extraterritorial plat review area (1.5 miles) applies only where the area does not overlap with another city or village's extraterritorial area.

The boundary of the City Growth Area is intended to establish the outer limits of annexation and potential boundary of the City of Cedarburg per the Intergovernmental Agreement to Provide Orderly Growth and Development entered into between the City of Cedarburg and the Town of Cedarburg in 2021. In addition, the City will not exercise extraterritorial plat review over Town lands in the Town Area identified in the Agreement between 2021 and 2041.



Source: Intergovernmental Agreement Between City of Cedarburg and Town of Cedarburg to Provide for Orderly Growth and Development and SEWRPC