

# Section H

## LAND USE ELEMENT

**EXECUTIVE SUMMARY**

The purpose of this section is to review and analyze land use in the Town of Dodgeville. The land use element is the compilation of all other elements of this plan. Designating land uses and standards for development requires the Town to be able to adequately provide utilities, maintain roads, and support other services. Therefore, the policies and programs of the land use element must be supported by all other elements of the plan. This section will consider both current and future land use in the Town of Dodgeville. At the present time, the dominant developed land use in the Town is agricultural.



**Wisconsin State Statute 66.1001(2)(h)**

*(h) Land-use element.*

A compilation of objectives, policies, goals, maps and programs to guide the future development and redevelopment of public and private property. The element shall contain a listing of the amount, type, intensity and net density of existing uses of land in the local governmental unit, such as agricultural, residential, commercial, industrial and other public and private uses. The element shall analyze trends in the supply, demand and price of land, opportunities for redevelopment and existing and potential land-use conflicts. The element shall contain projections, based on the background information specified in par. (a), for 20 years, in 5-year increments, of future residential, agricultural, commercial and industrial land uses including the assumptions of net densities or other spatial assumptions upon which the projections are based. The element shall also include a series of maps that shows current land uses and future land uses that indicate productive agricultural soils, natural limitations for building site development, floodplains, wetlands and other environmentally sensitive lands, the boundaries of areas to which services of public utilities and community facilities, as those terms are used in par. (d), will be provided in the future, consistent with the timetable described in par. (d), and the general location of future land uses by net density or other classifications.

**TOWN OF DODGEVILLE VISION STATEMENT**

The vision for the Town of Dodgeville is to balance its rural character, natural beauty, community, and economic vitality. We will strive to find a balance so:

- People of all ages and backgrounds can reside, work, raise families, and retire in the Town.
- Agricultural activity will be maintained
- Natural resources and beauty will be preserved.
- Town services will be maintained and improved, while managing an appropriate level of taxation.

**LAND USE POLICIES**

The following are the general land use policies for the Town of Dodgeville.

1. Building placement and lot layout should be designed to provide a functional relationship to the site's topography, existing vegetation, and other natural features. Natural land features should be recognized and integrated into the site design to minimize their disruption. The siting of buildings shall follow the Town's rural residential siting criteria. See Section I, Implementation Element for more information. Also, see Map H-1 at the end of this Section.
2. A set back distance of 50 feet from the upper point of any area which has a 45 percent slope or greater is required for all building sites located within the Town of Dodgeville.
3. Existing vegetation should be recognized in the site design process. The conservation of mature plant species, hedgerows, prairies/oak savannas, and woodlots should be encouraged to preserve the rural character of the Township.
4. When dividing a parcel of land, care should be taken so that road access to the remaining parcel is not cut off.
5. For all new development in the Town, surface water run-off shall be minimized and detained on-site if possible or practicable. If it is not possible to detain water on site, down stream improvements to the channel may be required of the developer to prevent flooding caused by the project. The natural state of watercourses, swales, floodways, wetlands, or right-of-way should be maintained as nearly as possible. The design period is the 100-year storm.
6. The Town may retain the services of professional consultants to assist in the Town's review of a proposal coming before the Plan Commission. If there are concerns that need to be addressed, this review shall be approved by the petitioner prior to consideration of the proposal. Review fees which are applied to a petitioner, but which are not paid, may be assigned by the Town as a special assessment to the subject property.
7. Rural residential development must meet the goals of the Town Vision. See top of page. Refer also to Section A, Issues and Opportunities Element.
8. Maintain a current, long-range comprehensive plan, which will serve as a guide for future land-use and zoning decisions.
9. Following adoption, the Town of Dodgeville will proceed forward with the process of addressing the Transition Area. This process is to be completed within one year following Plan adoption and will include educational meetings and public input.
10. Following adoption, the Town of Dodgeville will proceed forward with the process of addressing Cluster housing. This process is to be completed within one year following Plan adoption and will include educational meetings and public input.
11. Following adoption, the Town of Dodgeville, working together with the City of Dodgeville, will proceed forward with the process of addressing the Town's Land Use map. This process is to be completed within six months following Plan adoption and will include educational meetings and public input.
12. Fees may apply.

13. Refer to page H-3 for Agricultural and Open Spaces Policies.
14. Refer to page H-5 for Commercial and Industrial Areas Policies.
15. Refer to page H-5 for Urban Residential Area Policies.
16. Refer to page H-6 for Rural Residential Area Policies.
17. Refer to page H-6 for Transition Area Policies
18. Refer to page H-6 for Cluster Housing Policies.
19. Refer to page H-6 for Nonconforming Parcel Policy.
20. Refer to page H-7 for Resource Protection Area Policies.
21. Refer to page H-7 for Conservancy Area Policies.
22. Refer to page H-7 for Sensitive Natural Resource Area Policies.
23. Refer to page H-10 for Land Use Section definitions.

#### **Agriculture and Open Space Areas**

Lands included in this category have been identified on the Land Use Map (Map H.1) where rural character, agriculture, and natural resources will be preserved and may include but are not limited to locations in rural areas.

1. Protect active agricultural lands from encroachment by incompatible uses.
2. Agricultural businesses will be encouraged. Active agricultural lands have farm operations including lands historically exhibiting good crop yields or capable of such yields and should be maintained.
3. More comprehensive criteria for land use decision-making will be incorporated, additional county zoning categories will be supported, and adaptive reuse measures will be used to determine development and its impacts near agricultural areas.
4. Preservation of the Town of Dodgeville's natural resources, natural beauty, and rural character.
5. Maintaining the small-town rural character of the jurisdiction by avoiding developments that would alter its character.
6. New residential development shall have plans submitted to the Town Plan Commission for review and approval, utilizing the rural residential building siting criteria, prior to construction of a resident or rezoning of lots.

Location of proposed dwellings and accessory buildings on lands in this category will be determined by utilizing the rural residential siting criteria for Agriculture and Open Space Conservation Areas and Rural Residential Areas, in Section I, Implementation Element, to restrict location of new development in areas:

- a. That have shown to be unsafe or unsuitable for development due to natural hazards, contamination, access, or incompatibility problems
  - b. That will have negative impacts on agricultural, cultural, or natural resources
  - c. That may compromise rural character
7. No residential subdivisions shall be allowed in this category unless part of a planned complex development as defined by the Iowa County Zoning Ordinance.

8. Non-farm related commercial and industrial uses shall not be permitted in this category except:
  - a. Adaptive reuse (*the rehabilitation or renovation of existing building(s) or structure for any use(s) other than the present uses*) of existing farm building and dwellings, by the resident owner or the resident lessee, which may be permitted by conditional use and will be determined, based on the rural commercial siting criteria, in Section I, Implementation Element.
  - b. Professional Home Office and Household Occupations, as defined by the Iowa County Zoning ordinance, may be allowed by conditional use permit and applying the standards of the Towns Commercial Siting Criteria, in Section I, Implementation Element.
9. Electric power lines, telephone lines, gas distribution lines and other utility extensions shall not cross productive agricultural lands in a manner that would disrupt farming activities.
10. The residential density in this category is one dwelling per 35 acres of contiguous land (a municipal road would not negate contiguous definition) owned at the time of adoption of this plan. Each parcel that is not contiguous to the balance of the farm shall be treated separately in the density computation. In order to prevent the occurrence of multiple land divisions by successive land owners, this density limitation shall run with the land; shall be cumulative; and shall apply to those persons and entities owning land within the Town on the adoption of this provision, and to their grantees, heirs, successors and assigns. The density limitation established by this policy shall be applied until further study indicates a need to amend this plan.

NOTE: The density standard of 35 acres be kept as is and following adoption of the smart growth plan, the planning commission will proceed forward with the process of addressing the density standard. This process is to be completed within one year. This process will include educational meetings and a landowner survey.

Exceptions:

  - a. This standard shall be determined on the basis of contiguous ownership parcels of record as listed in the Town of Dodgeville Assessment Roll as of January 1, 1995. Existing farm-related dwellings are counted against the density standard.
  - b. Minimum lot size in this category shall be 2 acres unless it is served by municipal water and sewer and is located within 1 ½ miles of the municipal limits of the City of Dodgeville, or 2 acres throughout the remainder of the Township, as the boundaries will exist as of the adoption date of the comprehensive plan as of January 1, 2005.
  - c. Allow one residential land division for parcels created prior to January 1, 2005 that are greater than 4 acres but less than 70 acres.
  - d. Allow a land division on parcels outside the 1½-mile municipal limits of the City of Dodgeville that existed prior to January 1, 2005 that are no less than 4 acres and are adjacent to an existing residence that utilizes the same driveway access point. No land division shall be less than 2 acres.
  - e. Develop and implement criteria no later than January 1, 2006 to consider allowing a landowner to petition the Town of Dodgeville to have their land converted to a rural residential development site or zone.
11. New residential users shall be encouraged to utilize frontage roads or shared driveway access whenever possible in order to preserve the traffic carrying capacity of the Town's road network.

Refer to Map H-1 at the end of this Section for more information.

**Commercial and Industrial Areas**

Lands included in this category have been identified on the Land Use Map where commercial and Industrial development would be considered by the Town and may include but are not limited to areas that have appropriate infrastructure.

1. Encourage commercial and industrial/manufacturing activities to develop in existing commercial, industrial, and manufacturing locations where public roads/facilities and services have capacity to accommodate high volumes of traffic, parking, and other public needs.

Conditions for development will be reviewed and determined on a case-by-case basis, taking into account traffic concerns, environmental considerations, and utility requirements.

2. No heavy industrial and manufacturing will be allowed. This may include but is not limited to business that would produce and/or utilize excessive: truck traffic, noise, odor, smoke, particulate matter, fires, explosive hazards, and toxic or noxious chemicals/materials.
3. Encourage development in areas where adequate utilities and community services exist or can be provided in a cost efficient manner.
4. Assure to the greatest extent possible that all proposals for future development or redevelopment enhance the overall quality of life.
5. New development in the Town shall be harmonious with the surrounding rural landscape and shall not be environmentally degrading. A buffer strip shall be required, set aside, and maintained when the development conflicts visually or otherwise with an adjacent use, existing or proposed.
6. Site plan review shall be required for all commercial and industrial development within the Town. The approval and siting of Commercial business and buildings shall follow the Towns Commercial siting criteria. Refer to the Town's commercial siting criteria in Section I, Implementation Element, and Map H-1 for more information.

**Urban Residential Area**

Lands included in this category are located on or shall be located on platted subdivisions adjacent to the City of Dodgeville.

1. Lots or parcels in the urban residential area shall be a minimum of 2 acres unless served by municipal water and sewer. Any parcel or lot served by municipal water and sewer is limited to a minimum lot size of 12,000 square feet.
2. All residential development comprised of more than one single family home site shall have plans submitted to the Town Plan Commission for review and approval prior to construction or sale of individual lots.
3. For more information on urban residential requirement, refer to the Town's subdivision ordinance.
4. Utility easements, including the placement of future laterals shall be required.
5. Professional Home Office and Household Occupations, as defined by the Iowa County Zoning ordinance, may be allowed by conditional use permit and applying the standards of the Towns Commercial Siting Criteria, in Section I, Implementation Element.

Refer to Map H-1 at the end of this Section for more information.

### Rural Residential Area

1. Lots or parcels in the rural residential area shall be a minimum of 2 acres unless served by municipal water and sewer. Any parcel or lot served by municipal water and sewer is limited to a minimum lot size of 12,000 square feet.
2. All residential development comprised of more than one single family home site shall have plans submitted to the Town Plan Commission for review and approval prior to construction or sale of individual lots, refer to the subdivision ordinance.
3. All subdivision developers shall be required to institute permanent erosion control measures.
4. Each parcel must be served by appropriate sewage and water systems as regulated by state and county regulations
5. New residential users shall be encouraged to utilize frontage roads or shared driveway access whenever possible in order to preserve the traffic carrying capacity of the Town's road network.
6. New residential development shall have plans submitted to the Town Plan Commission for review and approval, utilizing the rural residential building siting criteria, prior to construction of a resident or rezoning of lots.
7. Location of proposed dwellings and accessory buildings on lands in this category will be determined by utilizing the rural residential siting criteria for Agriculture and Open Space Conservation Areas and Rural Residential Areas, in Section I, Implementation Element, to restrict location of new development in areas:
  - a. That have shown to be unsafe or unsuitable for development due to natural hazards, contamination, access, or incompatibility problems
  - b. That will have negative impacts on agricultural, cultural, or natural resources
  - c. That may compromise rural character
8. Commercial and industrial uses shall not be permitted in this category, except for the following uses, which may be considered:
  - a. For adaptive reuse (*the rehabilitation or renovation of existing building(s) or structure for any use(s) other than the present uses.*) of existing farm building and dwellings, by the resident owner or the resident lessee, which may be permitted by conditional use and will be determined, based on the rural commercial siting criteria, in Section I, Implementation Element.
  - b. Professional Home Office and Household Occupations, as defined by the Iowa County Zoning ordinance, may be allowed by conditional use permit and applying the standards of the Towns Commercial Siting Criteria, in Section I, Implementation Element.

Refer to Map H-1 at the end of this Section for more information.

### Transition Area

Following adoption, the Town of Dodgeville will proceed forward with the process of addressing the Transition Area. This process is to be completed within one year following Plan adoption and will include educational meetings and public input.

### Cluster Housing Areas

Following adoption, the Town of Dodgeville will proceed forward with the process of addressing Cluster housing. This process is to be completed within one year following Plan adoption and will include educational meetings and public input.

### Nonconforming Parcels

A parcel of land existing before January 1, 2005, may be developed even if it does not conform to land division criteria.

**Resource Protection Area**

Lands, currently identified on the Land Use Map, Map H-1, that are in the State park system.

1. Business ventures will be limited around Governor Dodge State Park.

Refer to Map H-1 at the end of this Section for more information.

**Conservancy Area**

Lands included in this category are those that have been deed-restricted or rezoned by the landowner to restrict future residential development.

1. In order to comply with the Town's agricultural and open space density standard or private conservancy programs, lands within this area are either deed-restricted or rezoned by the landowner to restrict future residential development.
2. Maintenance and upkeep of existing structures will be allowed with no restrictions. New structures, or major modifications of existing structures, or replacement of new structures will require a review and special permit from the Town Plan Commission.
3. In the case of deed restriction, a certified copy of the restriction, filed with the Iowa County Clerk, must also be filed with the Town of Dodgeville Office.
4. In the case of rezoning, a certified copy of the Iowa County Board of Supervisor's Amendatory Ordinance must be filed with the Town of Dodgeville Office.

Refer to Map H-1 at the end of this Section for more information.

**Sensitive Natural Resources Area**

Land included in this category is wetlands, 100-year floodplains, steep slopes, and other environmentally sensitive areas that are sensitive environmental features extremely important in preserving groundwater quality.

1. The Town's goal is to identify these areas on the Town land use map to aid as a tool for best land use management practices.
2. These areas should not be altered unless such alteration would result in an enhancement of the natural resources being preserved.
3. Recognize that sensitive environmental features are extremely important in helping to define the distinctive character and scenic beauty of the Township

Refer to Map H-1 at the end of this Section for more information.

**EXISTING LAND USE**

The Town of Dodgeville is a predominantly agricultural community. See Maps E.2 and E.8 in Section E, Agricultural, Natural, and Cultural Resource Element, for existing Dodgeville land use maps.

Table H.1 is a breakdown by percentage for land uses in Dodgeville. As indicated, the Iowa County Tax Assessors Office defines the Town as 62.1 percent agricultural land.

**Table H.1: Percentage of Land by Uses in the Town of Dodgeville**

Classification	Town of Dodgeville Percent of Land Area
Agricultural	62.1%
Residential	3.1%
Commercial	0.3%
Manufacturing	0.08%
Production Forest	12.2%
DNR-MFL Forest	8.7%
Undeveloped (formerly Swamp/Waste)	2.4%
Other	11.2%

(Source: Iowa County Tax Assessor Department, SWWRPC)

**Agricultural**

Agriculture is the dominant developed land use in Dodgeville, with 62.1 percent occupying the Town's land area. Agricultural land includes land that produces a crop (including Christmas trees or ginseng), agricultural forest (forested lands contiguous with agricultural land), supports livestock, or is eligible for enrollment in specific federal agricultural programs.

**Residential**

As indicated by Table H.1, residential land use accounts for 3.1 percent of the land area within the Town.

**Commercial**

Commercial refers to any parcel that has a business on it, but does not include industrial properties. This may be a convenience store, car wash, bank, grocery store, tavern, etc., referring to any type of retail or business establishment. The existing land use map does not differentiate between highway businesses, home occupations, or general businesses, but classifies all of the above as commercial. In the Town of Dodgeville, commercial development occupies approximately 0.3 percent of the total land area.

**Manufacturing**

Manufacturing refers to business and industry that is engaged in processing, manufacturing, packaging, treatment, or fabrication of materials and products. As indicated by Table H.1, Dodgeville's commercial development occupies approximately 0.08 percent of the total land area.

**Forested**

This classification is Production Forests and DNR-MFL Forests acreages combined. In Dodgeville it is the second largest classified land use. Table H.1 shows approximately 20.9 percent of the land area in Dodgeville is forest under these classifications.

**Undeveloped**

This classification refers to areas that were formerly classified as swamp/waste. It is open land includes bogs marshes, lowlands brush land, and uncultivated land zoned as shoreland and shown to be wetland. Approximately 2.4 percent of the total land in the Town of Dodgeville is classified as undeveloped land.

**Other**

Remaining land types that do not fall into the above categories, including federal, state, and county lands, school property, and cemeteries are classified as "other". Approximately 11.2 percent of land in the Town of Dodgeville is listed under this classification. Refer to Maps E.2 and E.8, Section E, Agricultural, Natural, and Cultural Resource Element, and Table H.1 for more information.

**LAND USE TRENDS****Table H.2: Town of Dodgeville Land Use Assessment Statistics Iowa County – 1994**

Real Estate Class	# of Parcels	Land Value
Residential	412	\$1,864,200
Commercial	39	\$379,700
Manufacturing	5	\$56,700
Agricultural	1,613	\$20,083,350
Swamp & Waste	15	\$1,600
Forest	700	\$3,432,800

(Source: Wisconsin Department of Revenue-1993)

**Table H.3: Town of Dodgeville Land Use Assessment Statistics Iowa County – 2003**

Real Estate Class	# of Parcels	Land Value
Residential	597	\$7,047,000
Commercial	52	\$664,200
Manufacturing	6	68,000
Agricultural	1693	\$3,678,075
Swamp & Waste	--	--
Forest	611	\$7,633,065

(Source: Wisconsin Department of Revenue-2003)

**LAND USE TRENDS - RESIDENTIAL**

Residential land use occupies 3.1 percent of the Town of Dodgeville. The following table indicates the changes in single-family residential units between 1990 and 2000 for the Town of Dodgeville compared to Iowa County.

**Table H.4: Town Of Dodgeville Single Family Housing Unit Change**

	1-Unit (1990)	1-Unit (2000)	% Change
<b>Town of Dodgeville</b>	192	329	71.4%
<b>Iowa County</b>	6,632	7,796	17.6%

(Source: 1990 &amp; 2000 US Census)

As indicated by Table H.4, the single housing units in Dodgeville increased 71.4 percent between 1990 and 2000, four times the County rate which increased 17.6 percent over the same period.

**Table H.5: Land Use Projections 2000 - 2030**

PROJECTED RESIDENTIAL LAND USE	2000	2010	2020	2030
<b>Low Projection</b>	510	540	570	601
Change in Number of Households	--	30	30	31
Minimum Lot Size of 2 Acres	--	60	60	62
Density of 1 Unit Per 35 Acres	--	1,050	1,050	1,085
<b>High Projection</b>	510	612	714	816
Change in Number of Households	--	102	102	102
Minimum Lot Size of 2 Acres	--	204	204	204
Density of 1 Unit Per 35 Acres	--	3,570	3,570	3,570

**REDEVELOPMENT OPPORTUNITIES**

No redevelopment opportunities have been identified by the Plan Commission.

**EXISTENCE OF BROWNFIELDS OR PROPERTIES SUITABLE FOR REDEVELOPMENT**

The Wisconsin Department of Natural Resources maintains a database referred to as BRRTS (Bureau for Remediation and Redevelopment Tracking System). The database lists contaminated lands and sites and includes the following: spills, leaks, Superfund sites, and other contaminated sites that have been reported to us or otherwise discovered. Please refer to Section H, Land Use Element of the Iowa County Comprehensive Plan for a list of documented spills in the Dodgeville area.

**EXISTING AND POTENTIAL LAND USE CONFLICTS**

There are a variety of land uses that can potentially cause land use conflicts. One of the most common occurrences, especially in a rural setting, is the presence of agricultural operations near non-farm populations.

Agriculture can affect adjoining small rural lots, which are used essentially for residential purposes. The issue of rural-urban conflict can arise when there is no separation between incompatible uses.

Land use conflicts, including outdated county soil maps, confusing county land use rules, negligent landowners, rock quarries, and the necessity of building and siting utility structures, are a fact in Dodgeville. These issues are expected to continue, with the additional question of rural residential growth, building siting, and high agricultural land values adding to the problem.

### **INTEGRATED LAND USE**

Certainly education and communication at all levels is fundamental to land use conflict resolution. Finding a way to separate incompatible land uses while recognizing the benefits that can be achieved through land use integration is key. Integration may be achieved through physical separation or a simple vegetative buffer designed to screen one land use from another. Such practical strategies require landowners with potentially conflicting land uses to acknowledge their impacts and then design their operations or development to account for this impact. A community approach utilizing physical solutions, planning strategies, and a long-term vision for the land will enable multiple and differing land uses to exist.

### **FUTURE LAND USE**

According to the public opinion survey, natural beauty, being near family and friends, and small-town atmosphere were the top reasons why people choose to live in the Town of Dodgeville. It stands to reason that people in Dodgeville want to keep and improve their farms, maintain their homes and property, and sustain their way of life. However, agriculture promises to continue to change the future of farming; existing homes and buildings will need remodeling, repairs, or improvements; new buildings and homes will be constructed. In order to help the Town of Dodgeville achieve its vision, agricultural development must be supported while preserving the Town's natural beauty, along with thoughtful location of rural residential development.

### **LAND USE DEFINITIONS**

**ADAPTIVE REUSE:** The rehabilitation or renovation of existing building(s) or structure for any use(s) other than the present uses.

**AGRICULTURAL AND OPEN SPACE AREA:** Lands to be included in this Category have been identified on the Land Use Map where rural character, agriculture, and natural resources will be preserved and may include but are not limited to areas that are located in rural areas.

**COMMERCIAL AND INDUSTRIAL AREAS:** Lands to be included in this Category have been identified on the Land Use Map where commercial and Industrial development would be considered by the Town and may include but are not limited to areas that have appropriate infrastructure.

**CONSERVANCY AREA:** Lands to be included in this Category are those areas that have been rezoned or irrevocably deed-restricted by the landowner to restrict future residential development.

**NONCONFORMING PARCELS:** A parcel of land existing before January 1, 2005 that does not conform to any other land division criteria.

**RESOURCE PROTECTION AREA:** Lands currently identified on the Land Use Map that are in County, State, or Federal park systems

**RURAL RESIDENTIAL AREA:** Lands currently identified on the Land Use Map that have a minimum lot size of 2 acres unless served by municipal water and sewer. Any parcel or lot served by municipal water and sewer is limited to a minimum lot size of 12,000 square feet.

**URBAN RESIDENTIAL AREA:** Lands to be included in this category are located on or shall be located on platted subdivisions adjacent to the City of Dodgeville.

**TRANSITION AREA:** An area or parcel of land that may require different conditions between different classifications or uses or lot sizes.