

CHAPTER FIVE: LAND USE

This chapter contains a compilation of background information about land use within the Town of Cottage Grove. The chapter includes a map that shows existing land uses and provides other related land use data and projections. The Town’s land use pattern is largely agricultural, though it also contains areas of non-farm development including rural residential subdivisions.

EXISTING LAND USE

An accurate depiction of the Town’s existing land use pattern is the first step in planning for a desired future land use pattern. As presented in Map 4 and Figure 5-1, a vast majority of the Town of Cottage Grove remains in open space uses—cropland, pasture, and woodlands.

Agricultural uses diminished by around 400 acres and woodlands by around 300 acres between 2010 and 2020. Most of the developed land use acreage in the Town did not change much over this same period. This suggests that most of the reduction in agricultural and woodland acreage is likely due to annexation of Town lands—mostly to the Village of Cottage Grove. There also may be some measuring differences.

Within the Town, clusters of non-farm residential development are within historic crossroads communities, along County highways, or in newer subdivisions. Larger subdivisions are located in the northwest corner of the Town, due east of the Village along CTH BB, and south of the Village west of CTH N.

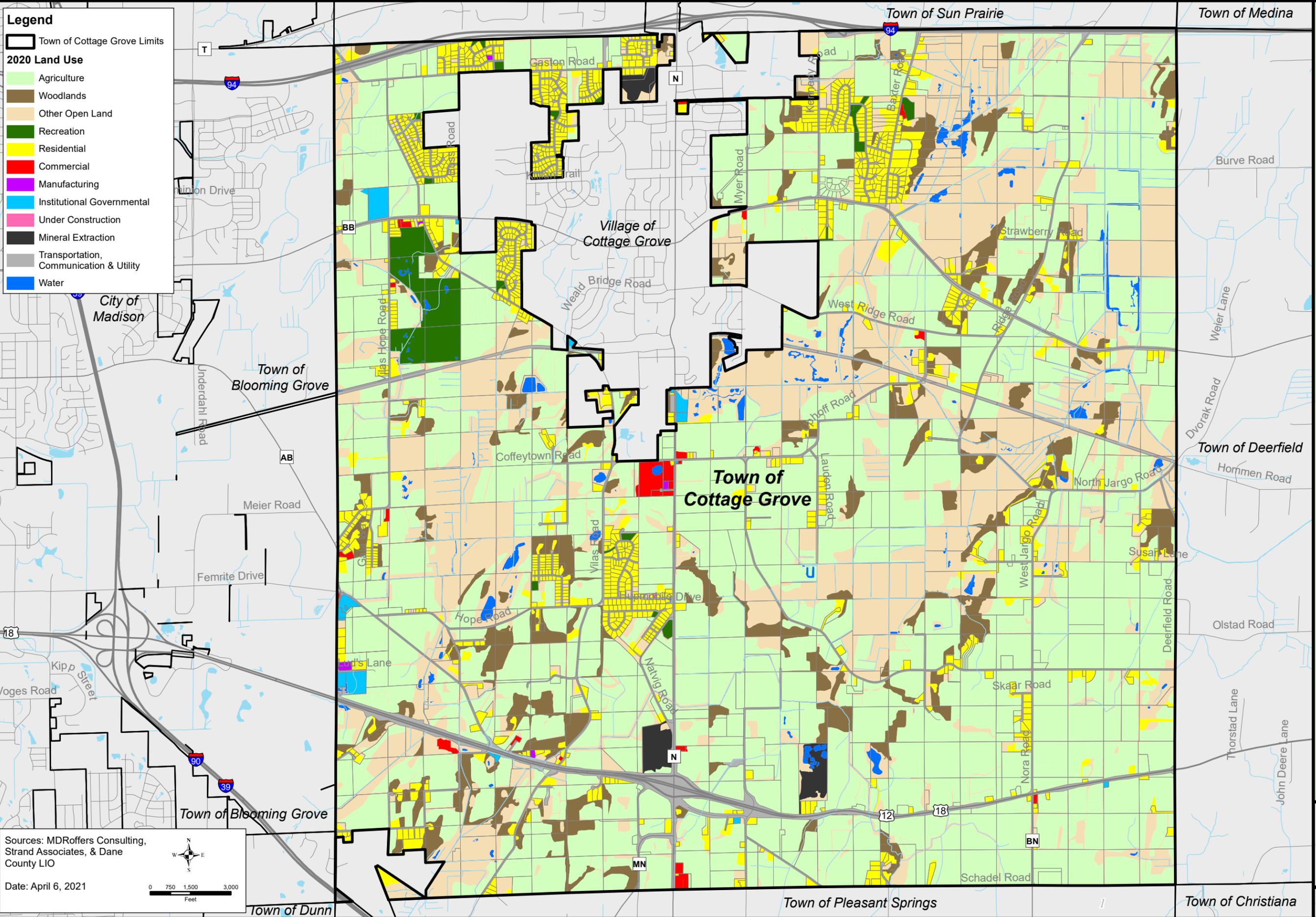
Non-farm commercial and industrial uses are relatively few in the Town. These are located directly south of the Village, near the U.S. Highway 12/18 and CTH N interchange, and near the Town’s southwest corner and City of Madison along CTH AB and U.S. Highway 12/18.

Figure 5-1: Existing Land Use, Town of Cottage Grove, 2010-2020

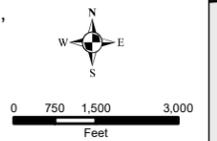
Land Use Category	2010 Acres	2015 Acres	2020 Acres
Agriculture	11,121	11,020	10,734
Commercial	91	87	73
Industrial	9	9	8
Institutional/Governmental	47	47	65
Mineral Extraction	121	69	98
Other Open Land	4,642	4,939	4,570
Recreation	215	214	234
Residential	1,466	1,423	1,506
Transportation, Communications, & Utilities	1,078	1,071	1,037
Water	259	254	343
Woodlands	1,588	1,302	1,298
Total	20,637	20,436	19,966

Source: Capital Area Regional Planning Commission

- Legend**
- Town of Cottage Grove Limits
 - 2020 Land Use**
 - Agriculture
 - Woodlands
 - Other Open Land
 - Recreation
 - Residential
 - Commercial
 - Manufacturing
 - Institutional Governmental
 - Under Construction
 - Mineral Extraction
 - Transportation, Communication & Utility
 - Water



Sources: MDRoffers Consulting, Strand Associates, & Dane County LIO
 Date: April 6, 2021



EXISTING LAND USE

TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN
DANE COUNTY, WISCONSIN



MAP 4

EXISTING AND POTENTIAL LAND USE CONFLICTS

Given the rural character of the Town of Cottage Grove and sizable residential population, there is potential for a range of conflicts. First, the dust, noise, and traffic of mineral extraction operations can negatively affect residential uses if situated too closely. Second, more intensive agricultural operations can also conflict with nearby residential uses and neighborhoods. Activities that make up the day-to-day operation of a farm—slow farm machinery on roads, farm odors associated with the stockpiling and spreading of manure, livestock noise—are sometimes considered nuisances by new, non-farming neighbors. Third, commercial and residential developments that are not in keeping with the Town’s rural form (e.g., geographic context; building scale, design, and materials; landscape features) can negatively impact visual character and residents’ quality of life.

There are a number of potential conflicts between the development vision, plans, and actions of the Village of Cottage Grove and those of the Town near the shared municipal boundary. Past annexations of land from the Town to the Village have resulted in conflict and concern. The Village’s 2020 comprehensive plan update calls for publicly-sewered neighborhood development extending west of the Village to Vilas Road and east to Kennedy Road to the east of the Village. That same plan advises planned neighborhood development, single-family (sewered), and future development areas south of the Village. The presumption is that these planned developments would follow annexation of the land to the Village.

There is potential for similar conflicts resulting from annexation to the City of Madison (none has occurred to date) and Village of McFarland (recently annexed land in the southwest corner of the Town).

As shown in Figure 5-1, the Town lost approximately 670 acres, roughly 3% of the Town’s area, between 2010 and 2020 due to annexation. Most of this was to the Village of Cottage Grove, but some Town land was also annexed to the Village of McFarland. In total, this area is slightly larger than a section of land or one square mile. As a result, the Town land area decreased from 32.25 square miles in 2010 to 31.2 square miles in 2020.

COMPLIANCE WITH FARMLAND PRESERVATION PLANNING AND ZONING RULES

The Town of Cottage Grove participates in the State’s farmland preservation program, administered by the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP). By administrative rule, DATCP generally requires that at least 80 percent of the area planned for agricultural preservation in each town be zoned within a certified farmland preservation zoning district. As of August 2021—and based on the December 2020 Future Land Use Map—Dane County estimates that the Town of Cottage Grove has 82.59% of its planned “Agricultural Preservation Area” zoned within a certified farmland preservation zoning district (e.g., FP-35). This percentage decreases each time any land in the “Agricultural Preservation Area” is rezoned, such as to enable new housing in such areas per the Town’s density policy. In its update to the Future Land Use map (Map 10) in the Visions and Directions volume, the Town will work to better match areas planned as “Agricultural Preservation Areas” with current land use and zoning. As suggested in Figure 5-2, there are a number of discrepancies.

AREAS OF DIFFERENCE BETWEEN EXISTING ZONING, EXISTING LAND USE, AND FUTURE LAND USE

Figure 5-2 highlights particular parts the Town with notable differences among existing land use (as shown on Map 4), existing zoning, and/or future land use based on current Town and County plans as of the date this Conditions and Issues volume was prepared. These differences suggested areas of investigation for change to the Future Land Use map in the updated Vision and Directions volume.

Figure 5-2: Areas of Difference between Existing Land Use, Existing Zoning, and/or 2015-Planned Future Land Use

Area	Currently USED as...	Currently ZONED as...	PLANNED as...in 2015 Plan
Collection of 17 parcels southeast of the County Highway BB/Vilas Hope Road Intersection	Single-family homes A few commercial uses	SFR-08, RR-2, SFR-1, HC, LC,	Agricultural Preservation Area
Collection of 15 parcels around Vilas Hope Road, west of Door Creek Golf Course	Single-family homes One commercial parcel	SFR-08, TFR-08, HC	Agricultural Preservation Area
Collection of 9 parcels along Skarstinden Road	Single-family homes	SFR-1, RR-2	Agricultural Preservation Area
Collection of 10 parcels along Laundon Road, south of the intersection with Uphoff Road	Single-family homes A construction business	SFR-1, RR-1, RR-2	Agricultural Preservation Area
Collection of 12-14 parcels northwest of the Laundon Road and Uphoff Road intersection	Single-family homes Commercial uses	RR-2, SFR-08, SFR-1, RM-8, RR-8	Agricultural Preservation Area
Collection of 20 parcels along Sunset Ridge and Circle High	Northridge Park plat Single-family homes	SFR-1, RR-2, SFR-08	Agricultural Preservation Area
Collection of 13-15 parcels along West Jargo Road, south of the intersection with North Jargo Road	Single-family homes	RR-4, RR-2, SFR-08, RM-8, RR-2	Agricultural Preservation Area
Collection of 18-20 parcels along Baxter Road, north of the American Heritage subdivision	Single-family homes A banquet hall, sports bar, and bowling alley with baseball diamonds	RR-4, RR-2, RR-1, GC, TFR- 08, RM-16, SFR-08	Agricultural Preservation Area Neigh. Development Area Commercial Development Area

On the Future Land Use map within the Vision and Directions volume of the 2021-22 *Plan* update, the Town redesignated some to all parcels in the gold-shaded rows because they were close to other areas with similar future land use designation(s), in a subdivision plat, having little apparent relationship to agriculture or divisions allowed in the Agricultural Preservation Area, and/or where the change is unlikely to create unwanted impacts on nearby lands. This could include, for example, map changes that may create a potential “beachhead” for adjacent map changes that may not fit within the Town’s vision or intergovernmental relationships.

“SMART GROWTH” AREAS

The Town of Cottage Grove has attempted to maintain balance between preserving agriculture, maintaining the rural setting valued by its residents, and addressing pressure (and tax base growth) from housing and other development. The Town, through its plans, has identified certain areas within which it intends to accommodate housing demand. The Town has indicated an interest in limiting development in other areas, and even shifting limited development rights (residential density units) away from those areas. This system is described more completely in the Vision and Directions volume of this *Comprehensive Plan*.

As a rural town, Cottage Grove has limited areas that have been identified and are appropriate for redevelopment. The most obvious areas are the extraction sites in the Town. These areas are subject to County-approved reclamation plans.

In general, the Town has identified its planned “Neighborhood Development Areas” on Map 10 (and use of transferred development rights to develop within them), its Highway 12/18/N interchange “Commercial Development Area”, and its limited redevelopment sites as “smart growth” development areas, as required by Wisconsin Statute.

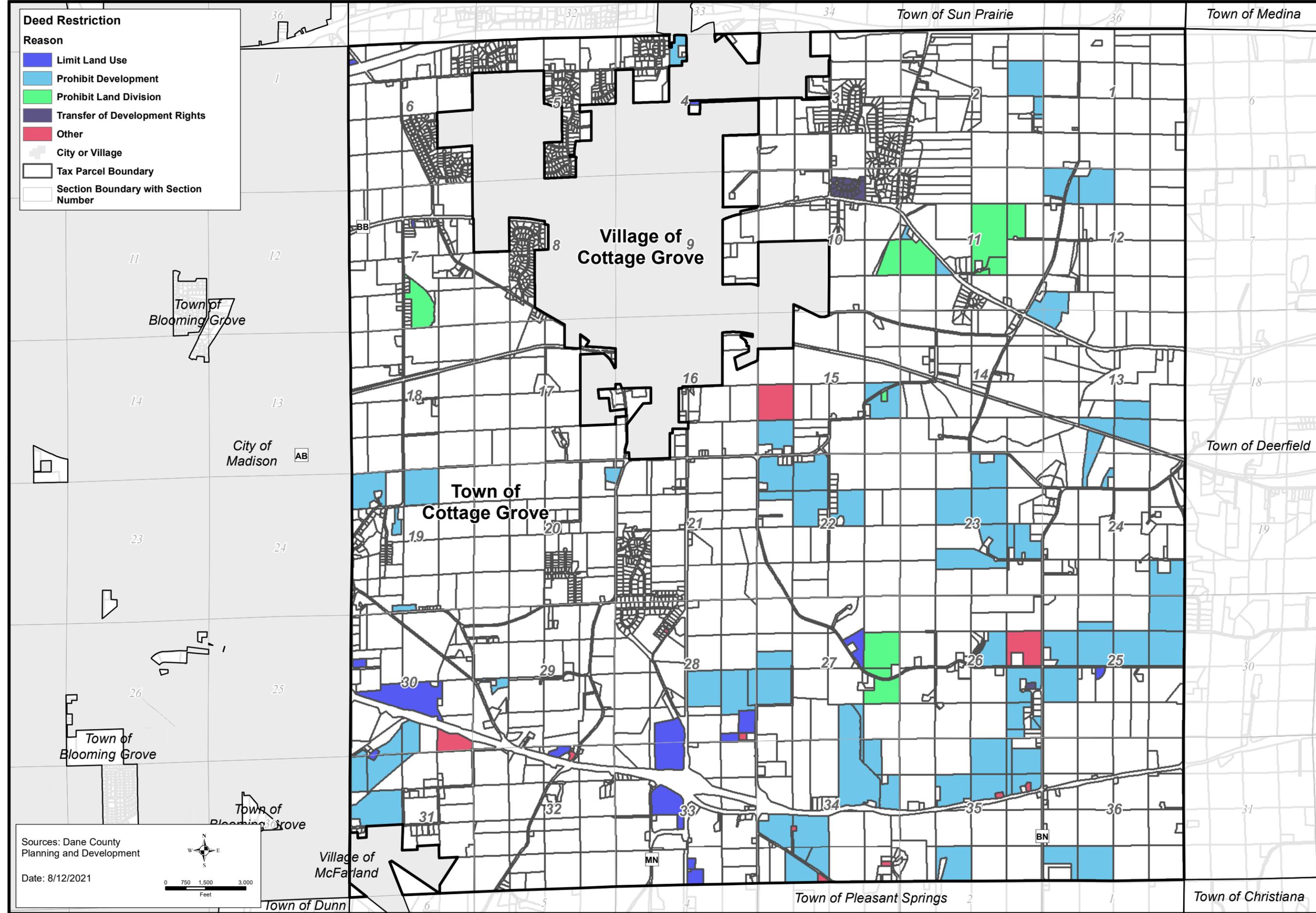
LANDS WITH LEGAL DEVELOPMENT RESTRICTIONS

Over the past few decades, the Town and County have applied deed restrictions to lands as part of rezoning and land division approvals. These deed restrictions sometimes limit future home building or divisions to aid in implementing the Town’s density policy. Other deed restrictions limit the range of future land uses, particularly in association with commercial rezonings, or address other concerns. Documenting the type and location of these deed restrictions will assist the Town and property owners and development interests with future planning decisions.

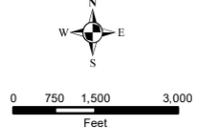
Map 5 shows the locations and type of development restrictions that have been applied through rezoning and land division approvals, based on Dane County zoning records. Map 5 is not exhaustive of all parcels which may have development restrictions in the Town. Other deed restrictions, conservation easements, and other land use restrictions have been applied to properties outside of such land division/rezoning approvals, which are not reflected on this map. Uncovering such restrictions would essentially require a title search on every parcel in the Town, which is beyond the scope of this *Comprehensive Plan* update.

Deed Restriction Reason

- Limit Land Use
- Prohibit Development
- Prohibit Land Division
- Transfer of Development Rights
- Other
- City or Village
- Tax Parcel Boundary
- Section Boundary with Section Number



Sources: Dane County Planning and Development
Date: 8/12/2021



DEED RESTRICTIONS

APPLIED THROUGH REZONING AND LAND DIVISION PROCESSES

TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN
DANE COUNTY, WISCONSIN



MAP 5

TRENDS AND PROJECTIONS IN LAND USE DEMAND

Recent Land Development Trends

From 2010 to 2020, 70 building permits were issued for new houses in the Town, an average of seven per year. Additionally, eight parcels encompassing 67 acres were rezoned for commercial land uses. Most land for new residential uses or new or expanded commercial uses was previously used for agriculture.

CARPC suggests through its land use inventories that the acreage in the Town devoted to commercial uses decreased by 20% (18 acres) between 2010 and 2020. This is a reversal of the trend from 2005 to 2010, in which the Town saw commercial uses increasing by 57.9 acres.

Projected Land Use Demand

Per requirements under §66.1001, Wisconsin Statutes, this *Plan* includes projected demand through the year 2045 for residential, commercial, industrial, and agricultural land uses. Projected demand is then compared to the potential supply of land to accommodate such demand, as presented in the Land Use chapter of the Vision and Directions volume of the *Plan*.

Projected rural residential land use demand in five-year increments is presented in Figure 5-3. This does not include residential development demand in the Cottage Grove area that will be served by public sanitary sewer and water facilities, which could far exceed the demand for rural residences/acreage in Figure 5-3. In preparing this figure, the Town's consultant projected that 7 new single-family homes would be built each year and that each home would occupy a 1½ acre lot. The calculations in Figure 5-3 also include a flexibility factor, which doubles the number of acres required for these additional dwelling units.

Figure 5-3: Projected Rural Residential Land Use Demand, Town of Cottage Grove

	From 2020 to...				
	2025	2030	2035	2040	2045
Additional Dwelling Units Projected	35	70	105	140	175
Acres Required for Additional Dwelling Units	53	105	158	210	263
Acres Required with Flexibility Factor (2x)	105	210	315	420	525

Source: MDRoffers Consulting

Figure 5-3 suggests that the Town may wish to plan for 525 acres of undeveloped land for new housing development, in its update to the Future Land Use map and associated policies in the Vision and Directions volume of this *Plan*. This should include both undeveloped lands identified on

the Future Land Use map as “Neighborhood Development Areas,” where residential subdivisions would be focused, and lands planned as “Agricultural Preservation Areas” without development restrictions, where new homes are allowed at a maximum density of one home per 35 acres. To the extent the updated Future Land Use map is crafted using these guidelines, future development allowed under this *Comprehensive Plan* will provide enough capacity for the expected rural residential land use demand over the next 25 years.

Projected commercial land use demand in five-year increments is presented in Figure 5-4. This includes light industrial uses, but not institutional, governmental, or utility uses. This also does not include commercial and industrial development demand in the Cottage Grove area that will be served by public sanitary sewer and water facilities, which could far exceed the demand for “rural” commercial acreage in Figure 5-4.

Figure 5-4: Projected Rural Commercial Land Use Demand, Town of Cottage Grove

	From 2020 to...				
	2025	2030	2035	2040	2045
Acres Required for New or Expanded Commercial Uses	50	100	150	200	250
Acres Required with Flexibility Factor (2x)	100	200	300	400	500

Source: MDRoffers Consulting

The projections in Figure 5-4 are based on recent trends in the Town, the Town’s desire for some commercial development, the large land area needs of most rural commercial uses, and some attractive lands for non-residential development particularly near the Highway 12/18/N interchange. No intensive industrial (e.g., manufacturing) development demand is forecast for lands that will remain in the Town, given the public utilities these uses generally require.

In total, Figure 5-4 suggests that the Town may wish to plan for 500 acres of undeveloped land for new commercial development, as it updates the Future Land Use map and associated policies in the Vision and Directions volume of this *Plan*. Projected commercial development demand should generally be fulfilled on undeveloped lands identified on the Future Land Use map as “Commercial Development Areas”. Agribusiness development may also be appropriate in planned “Agricultural Preservation Areas” and smaller-scale business use may be appropriate in certain planned “Neighborhood Development Areas”. To the extent the updated Future Land Use map is crafted using these guidelines, future development allowed under this *Comprehensive Plan* will provide enough capacity for the projected rural commercial land use demand over the next 25 years.

Assuming that perhaps three-quarters of the projected demand for rural residential and rural commercial uses will occur on current agricultural land, the Town can expect that there will be approximately 385 fewer acres in agricultural use by 2045. This does not account for the flexibility factor in Figures 5-3 and 5-4, agricultural conversions that may result from annexation, or any land owner preferences to discontinue farming.

Available of Supply of Developable Land

Again, as reported in Figure 5-4, the Town anticipates demand for up to 525 additional acres of undeveloped land for new rural housing development and up to 500 additional acres of undeveloped land for new or expanded commercial development through 2045.

The December 2, 2020 version of the Future Land Use map—the version in place prior to adoption of this 2021-22 *Plan* update—had 616 acres of undeveloped but developable land planned for “neighborhood (mainly housing) development”. These are areas where residential subdivisions are most likely. Of the 616 undeveloped, developable acres planned for “neighborhood development”, upwards of 200 acres were directly adjacent to the Cottage Grove village limits, and may therefore ultimately not be available to serve projected rural development demand in the Town. This would bring the effective total down to perhaps 400 acres of undeveloped but developable land planned for “neighborhood development.” This is about 125 acres fewer than the projected demand through 2045, if one includes the demand flexibility factor described above. Still, rural residential development demand will also be partly accommodated in areas planned for “agricultural preservation”—albeit at densities no greater than one home per 35 acres owned. See the below analysis for an estimate of how many homes remain to be built in “agricultural preservation” areas under the Town’s density policy.

The December 2, 2020 version of the Future Land Use map also had 602 undeveloped but developable acres planned for “commercial development”. However, about 250 acres of undeveloped, developable land that the Town had planned for “commercial development” are adjacent to the City of Madison and Village of McFarland. Many of these 250 acres may not ultimately be available for commercial development in the Town. If this proves correct, then the effective supply of undeveloped, developable land that the Town had planned for commercial use in the December 2020 version of the Future Land Use map may actually be 350 to 375 acres. This is up to 125 to 150 acres fewer than the projected demand through 2045, if one includes the demand flexibility factor described above.

Estimate of Residential Density Units Remaining

The Town entered the State and County farmland preservation program in the early 1980s. As part of that program, the Town generally allocated one “residential density unit (RDU)” for each 35 acres held in single ownership as of April 16, 1982. Again generally speaking, the total number of dwelling units allowed is determined by dividing the total gross 1982 acreage in single ownership by 35. The Town’s exact calculation approach is described in the Land Use chapter of the Vision and Directions volume.

In July 2021, the Town’s consultant prepared a estimate of the number of RDUs remaining in areas that the Town has planned for agricultural preservation. The consultant prepared this estimate by dividing the number of acres so-planned by 35, and then subtracting the estimated number of lots that have been divided in the “Agricultural Preservation Area” since 1982. Lots were considered a reasonable proxy—though certainly somewhat lower—than the number of dwelling units actually built in this period.

The consultant estimated that there were approximately 464 total RDUs allocated within planned “agricultural preservation areas” as mapped in 2020. Of this total, the consultant estimates that up to 205 have been used, representing up to 44% of RDUs allocated. This means that more than 259 RDUs remain in planned “Agricultural Preservation Areas”. These may be multiplied by eight if and when transferred to planned “Neighborhood Development Areas” under the Town’s transfer of development rights program.

The above estimate appears generally in line with other Dane County towns that have performed more detailed, parcel-by-parcel analyses. For example, the same consultant found in 2020 that property owners in the Town of Springfield had utilized 32% of the allocated RDUs there.