

## Comprehensive Plan is .....

- Just that, a “plan” or a guideline
- State law says that all Town Ordinances must be “Consistent” with the Plan
- The Plan Commission and the Board use this as a guide

## Comprehensive Plan is NOT.....

- A fully detailed document
- Set in stone – it is meant to be reviewed and updated

# Brigham Comprehensive Plan

## Chapter 9 Implementation

9.5.2 - The plan should be evaluated at least every 5 years, and updated at least every 10 years.

9.5.4 - According to the State comprehensive planning law the Comprehensive Plan must be updated at least once every ten years..

## Some issues that were raised during Public Forums:

1. Maintain rural character / Country life / Sustainability / Quiet
2. Health and safety
3. Clean air and water - Karst Landscapes
4. Farmers Rights and Needs vs. Farmland Preservation
  - Concerns that Prime soil restrictions were too strict. Numerous calls for flexibility.
5. Loss of wildlife habitat – currently a lot of development forced into woodland
6. Minimum lot sizes taking more cropland out of production than needed
7. Development kept at a level to sustain the school, without taxing water supply or harming rural character.

# Ad Hoc Committee Recommendation:

- Reduce minimum lot size from 5 acres to 2 acres

AND

- Lessen the restriction against residential building on Prime Ag Soils

AND

- Implement a 35 acre density standard

Three legged stool – all of the elements work together and if you take one of them out you change the dynamics of the whole package

## VERY IMPORTANT – Before we start.....

- Nothing in this proposal will take away your ability to build on EXISTING lots less than 35 acres. If you are legally allowed to build now, you will still be able to if these changes are made.
- This is for future land divisions. (“Land division” means creating a lot less than 40 acres)
- In other words, you are “grandfathered”. Iowa County refers to such parcels as “Legal, non-conforming”

## *Reduce minimum lot size*

Currently we have a 5 acre minimum lot size. The Ad Hoc committee proposal is that we reduce that to 2 acres.

Provided this is implemented along with a Density Standard, this should actually

- REDUCE the loss of farmland
- REDUCE the loss of wildlife habitat
- REDUCE the cost of some lots so that families with school-aged children are more likely to be able to move into the Town - helping out our school

## *Lessen the restriction against residential development on Prime Ag Soils (Class I, II and III):*

Currently we prohibit residential development on soils classified by the NRCS as “Prime Ag” – Class I, II or III soils with a history of crop activity

- If non-prime soil is on the back of the field - Driveways end up running along “edge” of Prime soil or existing property line, or an existing woodline, and can actually destroy MORE active cropland than if building were allowed closer to the road
- Some landowners don’t have ANY non-prime soil that is accessible so they are PROHIBITED from splitting even a single lot
- Some land has had trees planted on Prime Soil for decades, but it has a history of crop activity so building on it is prohibited

## *Implement a density standard*

What is a Density Standard??

Meant to better define the ratio of residential acreage to undeveloped acreage.

Instead of having numerous building site “restrictions” with the intent of spreading out development, we assign a number and work off that:  
*“35 acres per residence”*

## Density Standard Explained

Density standards are meant to define the ratio of residential acreage to undeveloped acreage. As a community, we decide how much land we would like “per house”. Right now, since Brigham does not have a Density Standard and only a minimum lot size, our density could be said to be 5 acres per house. There are additional restrictions involving prime soil, driveway slope, driveway spacing, multiuser driveway limitations, etc. that raise that, but it is impossible to quantify the resulting ratio. They also do not apply in all developments.

Instead of just a minimum lot size and all these other restrictions, the proposal from the Ad Hoc committees is to say “35 acres per house” from now on, in exchange we eliminate the complete prohibition of development on prime soil and reduce the minimum lot size to 2 acres. When that happens, to create a building site, you have to start with at least 70 acres<sup>1,2</sup>. With such a Density Standard, if a person owns 350 acres with no houses, in the end that 350 acre parcel could end up with no more than 10 house sites and (IF each were only 2 acres) the remaining 330 acres would have been set aside in an Ag Conservancy (AC-1) zoning district. That zoning allows all the farming practices allowed in the original A-1 district, but per County Ordinance: “All structures are prohibited”.

Under Brigham’s current system, depending on how driveways fit, prime soils, steep slopes, etc., that same 350 acres could mathematically be split into as many as 70 lots. Practically speaking, these other restrictions might cut that in half or less, so 30 or 35 lots maybe?? Hard to say exactly, but still many times more than if a Density Standard is utilized.

**Example 1a** : Landowner Judy lives and farms on 120 acres. Her husband has medical issues and they need some money and want to sell a corner of a field that was never very good for farming anyway. The site meets the building site criteria, so they choose to create a 4 acre lot and sell it. At the same time they also designate 31 acres that gets rezoned to AC-1 at Iowa County.

**Example 1b**: Let’s say a few years later, Judy and her husband have a child going to college and need some more money, they choose to sell an additional 10 acres for a building site and set aside 25 acres in AC-1 zoning. Now Judy and her husband still own and farm 106 acres, of which 56 is restricted from development. This means that, since they now only have 50 acres that their house sits on that is outside the AC-1 zoning district, they cannot create any more lots - (their existing house “counts”): they don’t have 35 acres leftover to be split FOR A BUILDING SITE. They can always sell part or all of their remaining property and house, but the AC-1 zoning stays with the 56 acres that was designated as such.

**Example 2**: Bill owns an 80 acre piece of property with a house on it. With a 35 acre density, only one additional house is allowed on it. Bill sells a 5 acre lot and sets aside 30 acres in AC-1 zoning. Bill still owns 75 acres, of which 30 acres are restricted from development and his house is on the other 35 acres. He is not able to split off any further lots for residential development.

**Example 3<sub>2</sub>**: Steve owns a 40 acre piece of woods. With the one time exception and 35 acre density, two houses are allowed on it. Jenny buys 2 acres, clears a site and builds a house. Steve also clears a site on the remaining 38 acres, builds a house, and the rest stays woodland.

Footnotes:

1. Existing lots of less than 35 acres are “grandfathered in”. This new Standard only applies to NEW land divisions.

2. Since some people might say that this ‘favors’ large landowners, some communities [e.g. Town of Dodgeville] give people with dividable smaller lots ‘one’ building site/division before the Density Standard applies.