



Center for Land Use Education

# THE LAND USE TRACKER

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On The Web...

*The Dakota County Farmland and Natural Areas Protection Program website contains program guidelines, landowner fact sheets, application forms, and other related program information.*

[www.co.dakota.mn.us/CountyGovernment/Projects/FarmlandNaturalArea/default.htm](http://www.co.dakota.mn.us/CountyGovernment/Projects/FarmlandNaturalArea/default.htm)

## DAKOTA COUNTY PROGRAM AIMS TO PRESERVE FARMLAND AND NATURAL AREAS

*By Alicia Acken Cosgrove and Rebecca Roberts, Land Use Specialists*

A search for purchase of development rights (PDR) programs in the Upper-Midwest leads to Dakota County, Minnesota. Located west of River Falls, Wisconsin and southeast of the Twin Cities metropolitan region, Dakota County is home to urban first ring suburbs, expanding suburbs, and rural farm areas. The county also contains significant bluff lands and three major rivers, including the Mississippi. According to Al Singer, director of Dakota County's Farmland and Natural Areas Program (FNAP), the county's PDR program was created to protect local geography and address growth and development pressure from the Twin Cities. This article describes the pieces that came together to create a successful PDR program in Dakota County.

### Dakota County

One of seven counties in the Twin Cities metropolitan region, Dakota County's population currently resides at 384,000. The majority of the population lives in the county's 21 cities, with approximately 16,000 people living in the 13 townships. The county spans 375,000 acres with a majority of those acres (220,000) in agricultural use. Unlike Wisconsin counties, Dakota County does not have authority to regulate land use.

### Three-Year Planning Effort

A striking piece of the Dakota County PDR program is the amount of planning that took place prior to implementing the program. During the 1990s, Dakota County experienced rapid growth. Each year between 2,000 and 3,000 acres of land were converted from agricultural use

**Purchase of Development Rights (PDR)** - a program that pays landowners for the development value of their land in exchange for agreeing to place a permanent conservation easement on the property. Conservation easements typically allow the land to be farmed or maintained in its natural state, but prevent further development. The Dakota County Farmland and Natural Areas Program is an example of a purchase of development rights program.

to suburban development. Three thousand new houses were built each year. This rapid growth led to interest in preserving natural areas and farmland. In 1998 the county received \$200,000 from the Minnesota Legislature for a preliminary planning effort. The money was used to inventory farmland and natural areas; increase awareness among citizens, landowners, farmers and local officials; conduct a financing options survey; and develop a farmland and natural areas protection plan and "tool box". The planning effort was a partnership among various county agencies, non-profits, and state agencies. With information gathered from public input and spatial analysis, 80,000 acres of farmland and natural areas were identified, inventoried and prioritized for potential protection.

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**CALENDAR OF EVENTS****CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO) WORKSHOPS****Current Permittee Workshops**

June 20, 2007 – Jefferson, WI  
July 10 – Richland Center, WI  
July 18, 2007 – Eau Claire, WI  
July 24, 2007 – Green Bay, WI

**Expansion Workshops**

June 29, 2007 – Fitchburg, WI  
July 17, 2007 – Eau Claire, WI  
July 19, 2007 – Green Bay, WI

[www.uwsp.edu/cnr/landcenter/Workshops/2007\\_Cafo\\_wkshp\\_brochure.pdf](http://www.uwsp.edu/cnr/landcenter/Workshops/2007_Cafo_wkshp_brochure.pdf)

**PLANNING LAW REVIEW 2006-2007**

June 27, 2007, 4pm – APA/AICP Audio/Web Conference  
[www.planning.org/audioconference/](http://www.planning.org/audioconference/)

**IAP2 TRAINING WORKSHOPS: IMPROVING PUBLIC PARTICIPATION**

August 13, 2007 – Using On-line Tools to Support Public Participation  
August 14, 2007 – Affirmative Design: Inclusive Public Participation in Diverse Communities  
Pyle Center, Madison, WI  
Register online [www.iap2.org/](http://www.iap2.org/) or contact [linda.stoll@uwsp.edu](mailto:linda.stoll@uwsp.edu)

**URBAN AND REGIONAL INFORMATION SYSTEMS ASSOCIATION (URISA) ANNUAL CONFERENCE**

August 20, 2007 – Washington, DC  
[www.urisa.org/conferences/aboutannual](http://www.urisa.org/conferences/aboutannual)

**WISCONSIN FARM TECHNOLOGY DAYS**

September 18-20, 2007 – Albany, WI  
[www.greenfarmtech.com](http://www.greenfarmtech.com)

**MIDWEST ENVIRONMENTAL EDUCATION CONFERENCE: "NO CHILD LEFT INSIDE"**

October 18-20, 2007 – Country Springs Hotel & Conference Center, Stevens Point, WI  
[www.uwsp.edu/cnr/waee/Events/fall07.htm](http://www.uwsp.edu/cnr/waee/Events/fall07.htm)

**AMERICAN COLLEGIATE SCHOOLS OF PLANNING (ACSP) 2007 CONFERENCE**

October 18-21, 2007 - Hilton Milwaukee City Center. Milwaukee, WI  
[www.acsp.org/events/conferences.html](http://www.acsp.org/events/conferences.html)

**APA UPPER-MIDWEST FOUR STATE CONFERENCE**

October 31, 2007 – Dubuque, IA  
Contact [russell@cityofdubuque.org](mailto:russell@cityofdubuque.org) or [ejensen@ci.ankeny.ia.us](mailto:ejensen@ci.ankeny.ia.us)

**WISCONSIN COUNTY CODE ADMINISTRATORS FALL CONFERENCE**

October 31-November 2, 2007 – Stevens Point, WI  
[www.wccadm.com/First%20conferences%20page.htm](http://www.wccadm.com/First%20conferences%20page.htm)

*continued from page 1*

In 2001, the county conducted a citizen survey. Ninety-six percent of respondents expressed interest in protecting natural areas and lakes (69% said it was very important and 27% said it was somewhat important). Fifty-four percent of respondents expressed a strong interest in protecting farmland. The following year, The Trust for Public Land conducted an independent poll of Dakota County citizens and found that 63% of respondents favored a referendum to implement a farmland and natural areas protection program.

Information obtained through the surveys and planning process suggested that rapid growth was the number one citizen concern. Dakota County citizens wanted the county to play a role in protecting farmland and natural areas. The surveys also suggested homeowners were willing pay \$9.65 per year for every \$100,000 of housing value to be used for farmland and natural areas protection.

In 2002, after completion of both surveys and the inventory and prioritization of farmland and natural areas, the Dakota County Board of Commissioners adopted the Farmland and Natural Area Protection Plan. The County received an additional \$93,000 from the State Legislature to implement the plan. In addition, the Commissioners authorized a \$20 million bond referendum. It was estimated that the referendum would increase property taxes \$17 dollars per year on a median value home of \$176,300. Citizens and non-profits successfully campaigned and the referendum was approved by 57% of voters.

### Why Farmland and Natural Areas?

It is often suggested that farmland preservation programs should focus on farmland and farm infrastructure. The Dakota County example, however, includes both natural areas and farmland. According to Al Singer, there was strong value placed on natural areas by the urban population of Dakota County. Other features of a “successful” program were elicited by the community surveys, including a desire to:

- Protect the environment, especially

surface waters

- Protect a mix of farmland and natural areas
- Allocate funds to protect both public and private property
- Work on a voluntary basis with willing sellers and municipalities
- Maintain a broad county-wide focus
- Leverage county funds to acquire money from federal, state and other sources

To gain widespread public support, the program was ultimately designed to protect both farmland and natural areas. During the initial inventories, 36,000 acres of privately owned land were identified as eligible to participate in the natural areas program. Eligibility criteria, which are outlined below, vary by program area.

### Natural Areas Protection Criteria

Lands eligible for protection under the natural areas program must meet at least one of the following characteristics:

- Contains and protects features of ecological significance
- Improves and/or expands wildlife habitat
- Is adjacent to a stream, river, or lake
- Provides additional environmental benefits such as protecting or improving surface or groundwater

### Farmland Protection Criteria

The farmland protection criteria recognize that money spent to protect farmland could also help to meet one of the major program goals of preserving and improving surface water quality. The following eligibility criteria were established for participation in the farmland program:

- Land must be planned and zoned for agriculture with a maximum allowable housing density of 1 unit per 40 acres
- Land must be located outside of a planned sewer service area
- Property must be currently enrolled or become enrolled in the equivalent of Wisconsin’s farmland preservation program
- Property must contain at least 40 acres, with at least half of the



*Homeowners were willing pay \$9.65 per year for every \$100,000 of housing value to be used for farmland and natural areas protection.*

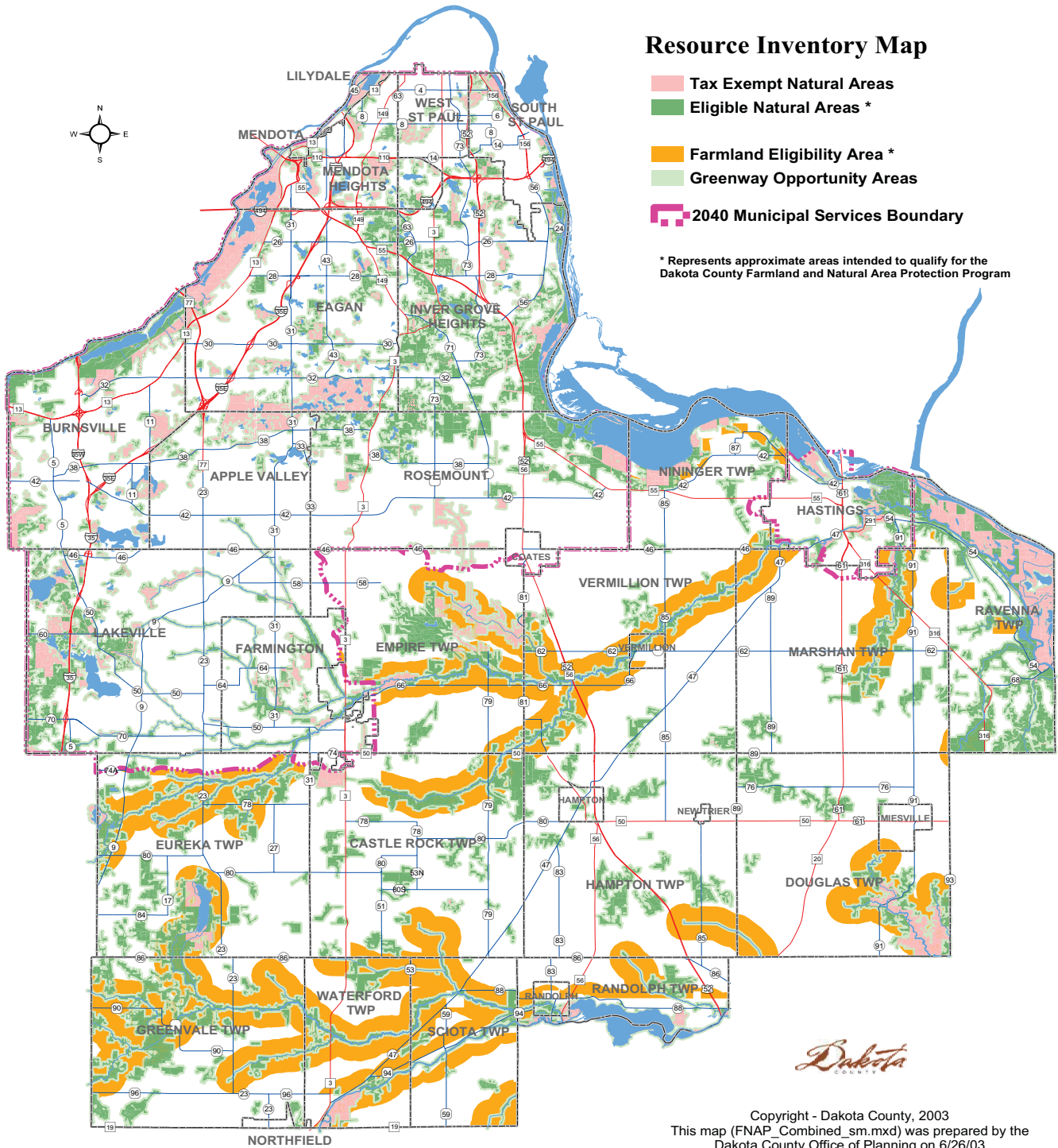


Photos courtesy Dakota County



# Dakota County Farmland and Natural Area Protection Program

## Resource Inventory Map



Copyright - Dakota County, 2003  
This map (FNAP\_Combined\_sm.mxd) was prepared by the Dakota County Office of Planning on 6/26/03

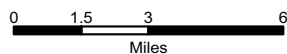


Figure 1-1

*This map shows general farmland and natural areas eligible to participate in the Dakota County Farmland and Natural Areas Program. As farmland is added to the program, adjacent properties outside of the initial farmland eligibility areas (shown on the map) become eligible for participation.*



property in active agricultural use and classified agricultural by the assessor

- At least 75% of active agricultural land must contain category 1 or 2 soils (as classified by NRCS soil surveys) or have irrigation infrastructure, or a combination of both
- Land must be within ½ mile of designated rivers and streams or adjacent to already protected land

**Prioritization Criteria**

Land that meets the eligibility criteria outlined above is further prioritized based on the following types of criteria:

- Size and quality of farmland or natural area
- Adjacency to protected farmland or natural area
- Water quality benefits
- Stewardship or restoration potential
- Level of landowner donation and outside funds
- Public access to natural areas
- Other unique characteristics

**Program Success**

A comparison of the project’s goals to the outcomes after five years of implementation shows significant success in both farmland and natural areas protection. Under the farmland program, a total of 28 contracts are pending or have been completed, placing 3,685 acres of land under permanent agricultural easement. Under the natural areas program, 27 contracts will protect 2,584 acres of land.

Overall, the program has resulted in 55 contracts totaling over 6,200 acres. The estimated value of this land is \$64 million, yet the county has spent just \$17 million dollars to reach to this goal. All of this was accomplished by one full-time and two part-time staff. They partner extensively with the county Soil and Water Conservation District and planning office to implement the Farmland and Natural Areas Protection program.



*After five years, 3,685 acres of farmland and 2,584 acres of natural areas will be protected through permanent conservation easements.*

**THE FIRST YEAR OF THE LIVESTOCK FACILITY SITING LAW**

On May 1, 2006 the Livestock Facility Siting Law (s. 93.90 Wis. Stats.) became effective, creating a predictable framework for county and municipal decisions to site new or expanding livestock facilities. The Department of Agriculture, Trade and Consumer Protection (DATCP) was charged with developing and implementing the administrative rule (ATCP 51 Wis. Admin. Code) that sets the standards local governments must use, as well as those that livestock operators must follow to receive a permit.

Twenty towns and eighteen counties have enacted ordinances that balance local control, community oversight, environmental protection and the need for a predictable siting process. Conditional use permits issued under a zoning ordinance remain the most common type of local regulation. In areas not covered

by zoning, six counties and four towns have adopted licensing ordinances to implement the siting law.

A more detailed analysis of the past year’s siting activities is contained in the first annual report on the livestock siting law, which is available on the department’s website at [livestocksiting.wi.gov](http://livestocksiting.wi.gov). The report covers local adoption of livestock siting regulations, an analysis of state siting standards, DATCP outreach efforts, and a summary of related activities.

Questions concerning the livestock siting law can be directed to Michael Murray at 608-224-4613 or [Michael.Murray@wisconsin.gov](mailto:Michael.Murray@wisconsin.gov).



Photos courtesy Dakota County



# REGULATORY APPROACHES TO CONSERVATION SUBDIVISIONS IN WISCONSIN

By Anna Haines, Ph.D., Associate Professor and Land Use Specialist

Conservation subdivisions (CSD) are discussed widely at the suburban/exurban edge. They are seen as ideal ways in which to create community for a small group of homeowners and preserve land and open space. But, why don't we see more of these kinds of developments? Is it merely because developers are sticking with the business as usual approach to subdivision development or is it something else?

In this article, I examine the regulatory framework for the development of CSDs. With the touted benefits of CSDs, one would think that they should be springing up all over the place. However, in Wisconsin, there is no proliferation of CSDs. On the contrary, from an observational perspective, the number of conventional subdivisions far outweighs

the number of CSDs being built. Unfortunately, it is quite difficult to get a handle on the number of these developments versus other types of developments. Neither local governments nor other agencies collect this type of data.

Rather than trying to collect data from local governments on the number of CSDs, I looked at a table prepared by Southeast Wisconsin Regional Planning Commission comparing CSD requirements in local zoning and subdivision regulations. The table includes the following categories of data for 2005: name and type of local government, type of ordinance, minimum open space required, density bonus possible, stewardship or maintenance plan required, and factors considered when determining the number of homes allowed. The table is available online at: [www.sewrpc.org/communityassistance/conservation subdivisions/](http://www.sewrpc.org/communityassistance/conservation subdivisions/).

## Regulatory Approach

Within a 7-county area in southeast Wisconsin, there are at least twelve different ways to get approval for a CSD. Thus, a developer could go to one local government and be told that a conditional use permit under the zoning ordinance would be necessary, which would involve a meeting with a local board or commission at the least. In a community only a few miles away the same developer would be told that a conservation subdivision is allowed only within a particular overlay district.

As shown in Table 1, the most common regulatory approach to CSDs is through a conditional use permit (12 of 40 municipalities used this approach). Another 6 municipalities used planned unit developments (PUDs). Thus, 45% of the municipalities used some form of conditional use permit (CUP) to regulate CSDs. CUPs imply more time, effort and costs for the developer to create CSDs.

In 11 of the municipalities (about one-quarter) CSDs are permitted or required. However, only one community specified that CSDs were a permitted use in residential districts and conventional subdivisions were a conditional use. In all other communities, developers were required to go through a more rigorous process to approve a CSD than a conventional subdivision. Compared to conditional uses, permitted uses should reduce the time, effort and costs associated with subdivision approval.

## Density Bonus

Of the 40 communities sampled, 13 local governments allow for density bonuses as a way to encourage conservation subdivisions. "A density bonus is an incentive-based tool that permits developers to increase the maximum allowable development on a property in exchange for helping the community achieve public policy goals." For more

*Willowbrook Subdivision in the City of Oak Creek features 89 home sites on one-quarter acre lots and 36 acres of preserved open space (53%).*



Map courtesy Bielinski Homes [www.bielinski.com/](http://www.bielinski.com/)



information on density bonuses, see the Planning Implementation Fact Sheet at the following address: <http://www.uwsp.edu/cnr/landcenter/pdf/files/implementation/densitybonus.pdf>

### Open Space Requirement

The requirements for open space in a CSD development are its defining or critical feature. All of the ordinances examined specify a minimum requirement for open space. However, no local government agrees with another about the minimum required. Open space requirements range from 20% to 90%; however, a number of communities do not specify any requirements, implying a negotiation process. About 60% of the local governments require a land stewardship plan that addresses maintenance of the open space. Many developers may view this requirement as onerous.

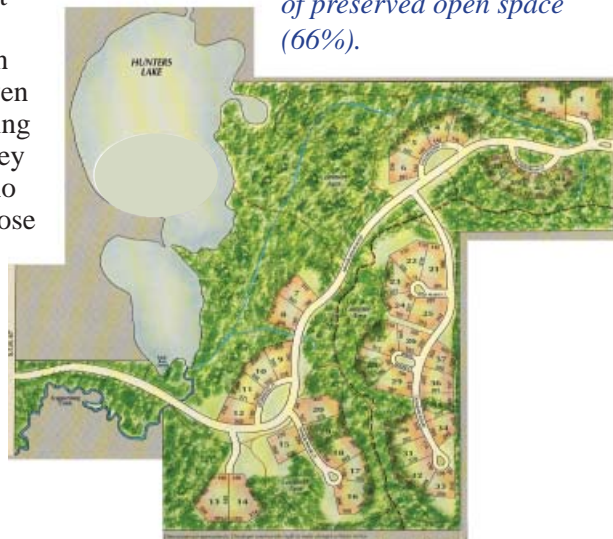
### Conclusion

Randall Arendt recommends that “at a minimum, conservation subdivisions

should be approvable ‘by right’ or ‘as of right’ and should not be required to meet the standards of special exceptions or special permits. In fact, if conventional subdivisions are not classified as conditional uses, conservation subdivisions should not be either. The ‘playing field’ should at least be level, if open space development design is going to be given an even chance of being proposed” (Arendt, 1996, p. 114).

This analysis shows that at least for southeast Wisconsin, conservation subdivisions are not given an “even chance” of being proposed. Time is money to developers; there is no reason for them to propose a conservation subdivision if the process for approval is more costly and cuts too far into profits than developing conventional subdivisions.

*The Preserve at Hunter’s Lake in Waukesha County features 41 homes on 1.5 acre lots and 187 acres of preserved open space (66%).*



Map courtesy Siepmann Realty [www.siepmannrealty.com/](http://www.siepmannrealty.com/)

	Type of Permitting	Municipalities	
		#	%
1	Conditional use	12	30
2	Permitted use (and principal use)	8	19.5
3	PUD (automatic conditional use)	6	15
4	Overlay district	3	7.5
5	Required for all land divisions	3	7.5
6	Principal or permitted use in one type of zoning district and conditional use in others	2	5
7	Conditional use and PUD used depending on zoning district	1	2.5
8	Open Space subdivision option within land division ordinance	1	2.5
9	Net density standards	1	2.5
10	Principal or permitted for some districts, conditional for others and required of land divisions larger than some specified acreage	1	2.5
11	Permitted use and conventional subdivisions allowed as conditional uses only	1	2.5
12	Permitted or required in R-1, allowed in residential districts in PUD	1	2.5
Total		40	100



### For More Information

Arendt, Randall G. 1999. *Growing greener: putting conservation into local plans and ordinances*. Washington, DC: Island Press.

Arendt, Randall G. with Michael G. Clarke, Kelleann Foster, Ann Hutchinson and Tim Johnson. c2001. *Growing greener ordinance language: visually enhanced zoning and subdivision models*. United States: Natural Lands Trust: Distributed by Island Press.

Gilroy, Leonard. 2002. "Conservation Subdivision Design: A Market-Friendly Approach to Local Environmental Protection." Reason Public Policy Institute. August 6, 2002. [www.rppi.org/conservationsubdivision.html](http://www.rppi.org/conservationsubdivision.html)


Haines, Anna. (Summer 2002). "An Innovative Tool for Managing Rural Residential Development: A Look at Conservation Subdivisions." *The Land Use Tracker*, University of Wisconsin, Stevens Point and Extension, Center for Land Use Education, vol.2, no.1. [www.uwsp.edu/cnr/landcenter/tracker/Summer2002/Tracker.html](http://www.uwsp.edu/cnr/landcenter/tracker/Summer2002/Tracker.html)

Town of Cary, Open Space and Historic Resources Plan, Conservation Subdivision Design [www.townofcary.org/depts/dsdept/CSD.pdf#search=%22conservation%20subdivisions%22](http://www.townofcary.org/depts/dsdept/CSD.pdf#search=%22conservation%20subdivisions%22)

If local governments are serious about preserving open space through this development technique, they should reexamine their rules regarding conservation subdivisions and change them to create a level playing field. Some local governments may want to consider the Town of Caledonia's rules that require conservation subdivisions on all land divisions of a parent parcel of three acres or larger creating five or more lots. Another example is the City of New Berlin that allows conservation subdivisions by right in certain residential zoning districts and only allows conventional subdivisions by conditional use in those same districts.

### References

Arendt, Randall G. 1996. *Conservation design for subdivisions: a practical guide to creating open space networks; with site plans and perspective sketches* by Holly Harper, Stephen Kuter, and Nicole Keegan. Washington, D.C.: Island Press.

Southeast Wisconsin Regional Planning Commission. May 2005. *Summary of Ordinance Requirements for Conservation Subdivisions in Southeastern Wisconsin*. Available online: [www.sewrpc.org/communityassistance/conservationsubdivisions/](http://www.sewrpc.org/communityassistance/conservationsubdivisions/) 

## LEGAL UPDATE

### ZONING BOARDS MAY CONSIDER ZONING OFFICIAL MISTAKE

*By Brian W. Ohm, J.D., Professor and Land Use Law Specialist*

*Accent Developers v. City of Menomonie* involved a challenge to the granting of after-the-fact area variances for two residential duplexes in the City of Menomonie. Timber Ridge mistakenly built part of each duplex within the front setback from the road right-of-way. The City's building inspector mistakenly approved the footings for the duplexes before the concrete footings were poured. The mistake was discovered after the duplexes were constructed. Timber Ridge then applied for variances. The City's Board of Zoning Appeals concluded it would be an unreasonable hardship for Timber Ridge to demolish and rebuild the duplexes and granted the variances. The Board also concluded that the hardship was unique to Timber Ridge's property and the hardship was not solely self-created since the City's building inspector approved the footings.


Accent Developers, an adjacent property owner, then appealed the granting of the variances by the Board of Zoning Appeals. The Court of Appeals, however, affirmed the Board's decision finding that the Board had a reasonable basis for granting the variance. According to the

Court of Appeals, a board of appeals may consider the role a city official played in a zoning violation when deciding whether to grant a variance. (The court of appeals also questioned what Accent Developers hoped to accomplish by the lawsuit. Accent was not requesting that the zoning ordinance be enforced and Timber Ridge tear down the duplexes. Rather, Accent wanted a similar variance for its adjacent property.)

### For More Information

This article was reprinted from the Wisconsin Chapter of American Planning Association's March 2007 Case law Update.

Additional case law and legislative updates are available on their website: [www.wisconsinplanners.org/law/index.htm](http://www.wisconsinplanners.org/law/index.htm)

*Accent Developers, LLC v. City of Menomonie Board of Zoning Appeals and Timber Ridge Homes, LLC*, 2006AP1268 is available online: [www.wisbar.org/res/capp/2007/2006AP001268.htm](http://www.wisbar.org/res/capp/2007/2006AP001268.htm) 





## LEADERSHIP PROGRAM AIMS TO EASE WORKFORCE CHALLENGES IN WISCONSIN'S COUNTY ZONING OFFICES

By Eric Olson and Rebecca Roberts, Land Use Specialists

A recognition ceremony at the Wisconsin County Code Administrators spring conference in Mosinee marked the conclusion of an innovative collaboration designed to mitigate the pending workforce exodus in counties across the state. Eighteen early career zoning staff were awarded certificates of completion in Mosinee as the first ever participants in the Wisconsin Land Use and Zoning Leadership Seminar. The seminar was produced by state and county educators from the University of Wisconsin Extension (UWEX) and spearheaded by the Center for Land Use Education (CLUE) in Stevens Point.

### The Challenge

CLUE staff began investigating the workforce challenges facing zoning offices in early 2005 (see Tracker, Fall 2005). At the time, there were a handful of retirements taking place in rural counties with relatively small zoning offices. New staff hired to replace outgoing zoning administrators lacked much of the experience and contacts that had stabilized county-citizen relations with respect to land use. New conflicts and seemingly avoidable errors were the price of “learning on the job,” and yet it seemed that a systematic training and staff development program could be beneficial if counties could agree to work together.

While populous counties like Dane and Waukesha support large offices that can permit “leadership grooming” within the county, many rural offices are one or two person operations. In such places, a retiring administrator takes much of the knowledge and skills they have developed with them when they leave.

Under most circumstances this would not be much of a problem as staff from larger counties may be willing to move in order to progress up the career ladder. This process of workforce succession works best when the number of retirees is relatively stable and predictable; people throughout the system can move up the

ladder simultaneously. The situation becomes more challenging when a large number of people retire at the same time, creating “gaps” in the chain of succession somewhere along the ladder.

Like many workforces in Wisconsin, county zoning offices are faced with the challenge of replacing retiring Baby Boomers. This challenge is compounded in Wisconsin counties because of an historic event that served to rapidly expand the workforce in the early 1970s. The 1965 Wisconsin Water Resources Act included a provision requiring all Wisconsin counties to implement a shoreland and floodplain zoning program beginning in 1968. Over the course of the late 1960s and early 1970s, many counties hired their first zoning administrators. Now, thirty-five years later, many of those who began working in the 1970s are looking to implement their retirement plans.

Working with a small grant from the University of Wisconsin-Stevens Point (UWSP), CLUE hired students to contact Wisconsin counties with zoning staff to learn more about the workforce and the scale of potential retirement waves. We contacted nearly 160 county zoning staff, anyone who had actual responsibility for administering zoning and land use codes. Our results indicated that 25% of the workforce planned to retire or leave the workforce for other reasons within 5 years. As one might expect, those leaving the workforce were taking with them a wealth of experience in the field of zoning administration. The average length of service for those planning to retire within 5 years (n=39) was well over 20 years.

### The Response

To address this challenge, UWEX convened meetings in 2006 inviting members of the Wisconsin County Code Administrators (WCCA), retired zoning officials, and former UWEX staff. Representatives from the Wisconsin Builders Association (WBA) were also



*Eric Rasmussen receives certificate from WCCA President Duane Greuel*



*Mark Steward addresses WCCA conference attendees.*



## Participant Quotes

*“One of the best things I took away from these sessions was the interaction with my peers. Talking with other professionals opened my eyes to the career potential in this field.”*

*“Exploring personality styles and their relationship with conflict was very useful and should be effective when working with co-workers and the general public.”*

*“Going into the first session I thought I would get a few good ideas that I could take with me. The session really fired me up. I came out of it with a new appreciation for the work that we do.”*

invited, as they too had a stake in a stable and well-functioning system of county zoning offices. These groups brainstormed a number of strategies to deal with the workforce challenge, including mentorship programs and enhanced education offerings at the UWSP College of Natural Resources. They settled on the idea of a leadership development program as a concerted and focused means for enabling new zoning staff to face the challenges of future turnover with confidence.

The leadership program was designed to cultivate networking and “soft skills” needed to navigate the contentious world of local land use regulation. A draft program was sketched out to include four multi-day sessions, each building on the previous meeting. Expenses largely entailed food and accommodations for participants and educators. The planning team sought out locations such as retreat centers where such costs could be kept to a minimum. The total cost for four three-day, two-night programs was estimated at \$600 per participant. The planning team was able to work with the Wisconsin DNR to secure educational funding for roughly half of the program cost. The WCCA covered 25% of the program through money raised at conferences, and the remaining costs were covered by participating counties. Those counties were also asked to cover the time and travel of their employees enrolling in the program.

### Session I – History of Wisconsin Land Use and Zoning

The sessions kicked off at the Central Wisconsin Environmental Station near Amherst. The program focused on the history and development of Wisconsin’s land use and zoning programs. A roundtable discussion featured several county zoning administrators with over three decades of experience on the job, as well as Richard Lehmann, a land use attorney who worked for UWEX in the 1970s to help coordinate training and development among the first generation of zoning administrators. Dr. John Kusler was a special guest who came from New York to discuss Wisconsin’s land use history. Now Executive Director

of the Association of State Wetland Managers, Dr. Kusler was a protégé of Jake Beuscher, the legendary UW Law School professor responsible for writing much of the Water Resources Act. Kusler also worked as a UWEX educator in the 1960s and 1970s, assisting counties to implement the zoning components of the Act. The insights shared at this roundtable gave the new zoning staff a deep appreciation for the history of their field and the leadership role that Wisconsin has long maintained in balancing development with environmental protection.

### Session II – Building Interpersonal Skills to Address Conflicts

The second session, held at the Green Lake Conference Center, focused on interpersonal skills including conflict, personality styles and customer relations. To kick start the session, experienced zoning administrators shared real life stories of conflict and practical tips gained over the years for dealing with on-the-job challenges. Matt Moroney, Executive Director of the Metropolitan Builders Association, provided a perspective from “the other side of the counter.” He discussed important characteristics of a well-functioning zoning office, including transparent guidelines, fact-based decisions, ongoing communication, professionalism, and timeliness. Extension educators from three counties helped participants understand personality styles, intergenerational differences, and conflict management. These sessions helped participants gain a better understanding of themselves and their interactions with co-workers and applicants. Keynote speaker, Joanne Kloppenburg, representing the Wisconsin Department of Justice wrapped the session up by discussing the Public Trust Doctrine and the legal basis for shoreland zoning in Wisconsin.

### Session III – Future of Planning and Zoning

The third session was held at Treehaven, a residential natural resources education and conference facility near Tomahawk. This session focused on current and future technologies in the field of zoning. From



the DNR headquarters in Rhinelander, participants utilized videoconferencing technology to talk with Brian Ohm, attorney and land use specialist with UWEX about the impact of the comprehensive planning law on county zoning. Participants also interacted with Rick Gauger, Executive Director of the West Wisconsin Land Trust about private options for land conservation, and Roman Kaminski, from the Wisconsin Department of Commerce about the future of private onsite wastewater treatment systems. The Wisconsin DNR provided background materials on statewide planning initiatives including the new Land Legacy report and each participant received a personal copy of the full color document. Researchers from UWSP helped facilitate a discussion about the current use of geographic information systems (GIS) technology in county offices and also shared cutting-edge research that utilizes GIS to examine and predict future parcelization trends. Before the session wrapped up, participants engaged in an exercise “mapping” political players in Wisconsin’s land use arena.

#### Session IV – State Associations and Networking

The final session was held in coordination with the WCCA Spring Conference in Mosinee. A roundtable discussion brought together members of major state organizations involved in zoning and land use administration. Panelists from WCCA, the Wisconsin Counties Association (WCA), and the Wisconsin Association of Land Conservation Employees (WALCE) discussed the past, present and future of zoning in Wisconsin. The roundtable featured a spirited discussion of the pros and cons of integrating zoning into “super-departments” that incorporate all land-related county programs. The roundtable discussion and joint sessions with the WCCA conference enabled participants to engage with other professionals in the field. Participants also designed a session of their own choosing focusing on zoning code enforcement.

#### Future Plans

The WCCA and UWEX will be working to track and monitor the accomplishments of the seminar participants over time. The participants themselves stated a number of ambitious long-term goals, including elevating the professional status of zoning and code enforcement and working to personally take on leadership opportunities when they arise. Their enthusiasm and interest in professionalism will be tested as land use issues become more complex and contentious in coming years. The overall feedback on the leadership seminar from participants, speakers, and seminar organizers has been highly positive and there is unanimous interest in continuing the program into the future. Depending on funding, the program could be offered as early as December 2007. Information and application forms will be distributed through the WCCA website.



*Wisconsin Land Use and Zoning Leadership Seminar, Class of 2007.*

**Front Row:** Jason Tuggle (Dane Co), Mark Steward (Rusk Co), Eric Rasmussen (Winnebago Co), Shawn Widish (Dane Co), Brian Zirbes (Columbia Co), Susan Vanden Langenberg (Door Co).

**Middle Row:** Dan Everson (Dane Co), Chris Mrdutt (Portage Co), Elaine Fillion (Barron Co), Amanda McMeekin (Pierce Co), Patricia Cook (Dodge Co).

**Back Row:** Mike Bindl (Iowa Co), Katie Bauer (Washburn Co), Amy Barrows (Waukesha Co), Dan Bowers (Lincoln Co), Matt Kirkman (Green Lake Co), Scott Frank (Shawano Co).



### Submit Articles!

Please submit an article to our newsletter.

It should be:

- 1,000 words or less,
- Informative,
- Of statewide concern,
- And address a land use issue.

The managing editor will review your submission and get back to you if any changes are necessary.

Managing Editor  
Rebecca Roberts



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## CLUE WORKSHOPS

### ZONING BOARD OF APPEALS AND ADJUSTMENT WORKSHOPS

June 27, 2007 – Stoughton, WI  
July 10, 2007 – Howard, WI  
[www.uwsp.edu/cnr/landcenter/workshops.html](http://www.uwsp.edu/cnr/landcenter/workshops.html)

### PLAN COMMISSION WORKSHOPS

July 13, 2007 – Stoughton, WI  
July 23, 2007 – Wautoma, WI  
July 25, 2007 – Balsam Lake, WI  
August 16, 2007 – Green Bay, WI  
[www.uwsp.edu/cnr/landcenter/workshops.html](http://www.uwsp.edu/cnr/landcenter/workshops.html)



For additional dates and information, visit the online calendar of events  
[www.uwsp.edu/cnr/landcenter/events.html](http://www.uwsp.edu/cnr/landcenter/events.html)

