

# Land Use

## State Comprehensive Planning Requirements for this Chapter

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.

## Overview

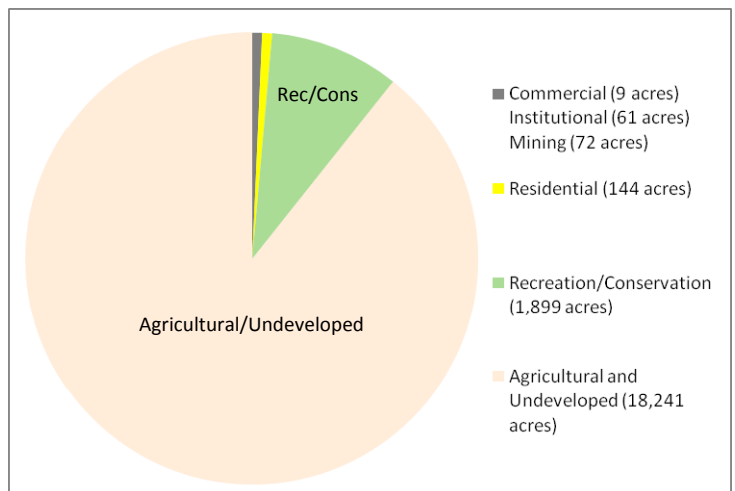
Land use is one of the most important factors in determining the character and livability of a community. The Town of Nepeuskun is defined by its rural landscape of farms and natural areas. Maintaining the rural quality of life that resident’s value, is dependent on limiting suburban sprawling patterns of development and incompatible mixes of land use.

Even though development will occur, it is the goal of this Plan to maintain the rural character of the Town through smart growth management. Determining the type, location, quality, and character of new development will help ensure a high quality of life for Nepeuskun residents.

This chapter discusses patterns of land use, land supply and demand, land use conflict, and future goals, objectives, and policies for future land use.

For the purposes of this plan, existing land uses were grouped into general categories for review and analysis. Individual properties were placed into one or more categories based on information obtained from Winnebago County, recent aerial photographs and other support documents. Map 7 shows the existing land uses in the Town and Chart 5.1 shows the number of acres in each land use category.

Chart 5.1. Nepeuskun Existing Land Use Inventory



### Land Use Categories

- Single and Two-Family Residential.** Single-family detached homes on a single lot and any building containing two dwelling units on a single lot regardless of ownership status
- Commercial.** Stores, restaurants, service stations, and repair shops.
- Park/Recreation.** Public recreational areas, dedicated open space areas, conservation areas and parks.
- Undeveloped/Agricultural.** Not developed and/or used for agricultural purposes.
- Wetlands.** Terrestrial ecosystems and aquatic systems.
- Transportation and Public facilities.** Roads, transit, utilities and other public facilities.
- Non-Metallic Mining Sites.** Non-metallic mining sites such as gravel and sand.
- Forested.** Forest covered land without buildings.

### Land Trends

Existing land use in the Town is primarily rural undeveloped, agricultural and significant wetlands. There are also pockets of forested land and large single-family residential lots throughout the entire Town. Other land uses include non-metallic mining and limited commercial.

Land use in Nepeuskun has changed little since it was originally settled for farming. However, there is evidence that the land use and development patterns are gradually beginning to change. In recent years (2000 – 2007) there has been an average of four new residences per year. More significantly, however, the number of parcels in the town has increased dramatically and the average parcel size has correspondingly decreased. Between 1985 and 2007, the number of total parcels in the Town went up by 30-percent (or by 286 parcels) from 944 parcels in 1985 to 1,230 parcels in 2007. During this same time period, the average parcel size decreased from 21 acres to 16 acres (a 24% decrease) (Winnebago County). Subdivision of land is often a precursor to development, and can affect farm viability and habitat conservation.

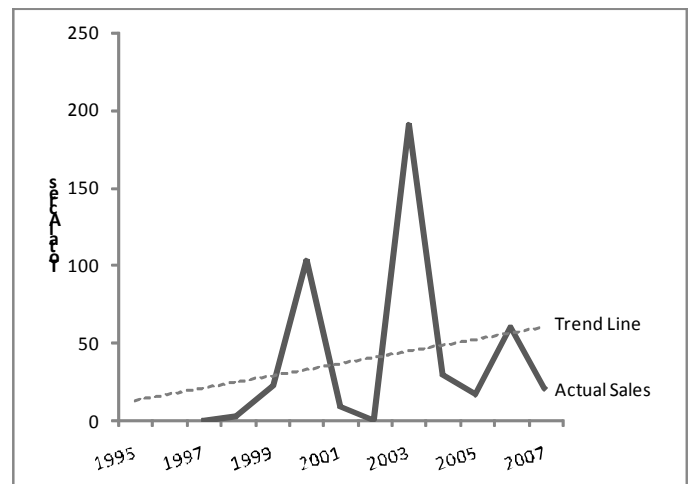
Land use in the rest of Winnebago County has seen more dramatic changes. Although agriculture remains the dominant land use in Winnebago County, urban and suburban development in the form of residential, commercial, industrial, and highway expansion is expected to put unrelenting and growing pressures on the county’s natural resources (Winnebago County). Impacts such as, construction site erosion, increased volume of runoff and polluted runoff often result.

The Winnebago County Land Use Plan identifies that 10,000 acres of cropland, meadow, wetlands, and wooded areas have been converted to urban development over the past 10 years in Winnebago County. While this farmland loss has not been seen in Nepeuskun, it does suggest significant development pressure in the region.

### Land Supply and Demands

The market for vacant land has fluctuated over the past decade, with an overall increasing trend (see Chart 5.2). During the late 90s, there were generally one or two parcels sold per year. Most of these parcels were sold for home sites, and were generally about 1.5 acres in size. In 2000 and 2003, the number of land sales and the total acres of land sold peaked. In 2000 there were 11 parcels sold, ranging in size from less than an acre to more than 20 acres. Similarly in 2003, 11 parcels were sold, ranging in size from less than an acre to 40 acres. The majority of these parcels were sold for residential use. In the past few years, vacant land sales have dropped down again. There were three sales in 2007, two of which were for residential use and one for agricultural.

Chart 5.2. Nepeuskun Vacant Land Sales



Overall, the vacant parcel size between 1995 and 2007 ranged from less than one acre to 40 acres and the land use consisted of:

- Tillable Land (289 acres);
- Residential (77 acres);
- Swamp (38 acres);
- Forest (15 acres);
- Agri-homesite (6.7 acres); and
- Commercial (less than 1 acre).

The majority of the vacant parcels sold were under 10 acres and, on average, less than \$26,000. The average sale price for vacant parcels less than two acre was \$17,420 (15 parcels); 2 to 9 acres was \$25,558 (15 parcels); 10 to 19 acres was \$56,800 (12 parcels); and 20 to 40 acres was \$135,725 (8 parcels).

Over the past decade, the sale price of vacant residential land has generally increased. In 1995 the average vacant residential parcel was sold for \$9,500 with an average size of 1.5 acres; in 2001 the average price was \$22,660 and the average size was 1.4 acres; and in 2007 the average sale price rose to \$30,000 with a corresponding increase in parcel size to 3.5 acres.

**Land Use Conflicts**

Land use conflicts can arise when different types of land uses are located, or potentially located, in close proximity to one another. The nature of a conflict depends on localized circumstances and the personal opinion of affected individuals. As a result, conflicts can develop or subside as demographic characteristics of an area or community change over time. This can be particularly true in rural farming communities that see an increase in non-farming residents.

Recent building permit (2000-2007) data suggests that there may be a demand for an average of four new units per year, or a total of 80 additional units over the next 20 years.

As suburban development pressures increase throughout the County and Town, there will likely be conflicts between agricultural use and residential development. Non-metallic mining operations and large-scale farm operations can also result in conflicts with neighboring rural land uses, such as residential, recreational, and natural features.

In order to preserve the rural quality of life, maintain viable farming operations, and plan for new residential development, there needs to be a clear plan for limiting conflicts between residential and farm uses. Vegetative buffers can help mitigate conflicts, as well as limiting

the number of dwelling units in farming areas. It's also important to educate newcomers to the area about the realities of rural life and farm operations. Large-scale farm operations should only be permitted in areas away from residential uses, as discussed in the Agricultural, Natural, and Cultural Resources Chapter of this Plan.

Land use conflicts can also arise at the border between two communities when the planning goals or regulations differ. The Town of Nepeuskun, however, has identified no existing land use conflicts with the surrounding townships. The intergovernmental cooperation efforts outlined in the Plan will help to minimize potential future land use conflicts between neighboring jurisdictions.

**Land Use Projections**

**Land for Housing**

Land use projections for housing take into account population and housing projections discussed in the Issues and Opportunities Chapter and the Housing Chapter. Based on the housing projections, there appears to be a demand for about 42 additional housing units over the next twenty years, or about two new houses per year. Recent building permit (2000-2007) data suggests that there may be a demand for an average of four new units per year, or a total of 80 additional units over the next 20 years.

Type of Housing

The mix of housing types and lot size are major factors in determining how much land is required to accommodate future housing growth. The current mix of housing in the town consists of over 95 percent detached single-family units, 2.9 percent 2-unit structures, and 1.8 percent mobile homes. Residents and decision-makers in the community have expressed

a strong interest in perpetuating single-family housing as the dominant residential type.

Lot Size

Residential lots in Nepeuskun average 15 acres, although many of these are part of larger farms. For non-farm residential parcels, the average lot size is six acres. Within the Rush Lake Crossroads area, the average lot size is half an acre. In the Community Survey, residents were asked what they think the minimum lot size and the maximum lot size for residential development should be. Opinion was mixed about minimum lot sizes, with 37% of respondents selecting 1 acre as the minimum lot size and 32% selecting 5 acres as the minimum lot size. For maximum lot size, 26% of respondents selected 5 acres and 49% of respondents selected more than 5 acres.

At the Land Use Workshop, the consensus was that within the Housing Focus Areas lots should be between 2 and 5 acres (See Map 8). Outside these areas, people generally felt that there should be a mixture of larger lots (>20 acres) and smaller lots (2 to 5 acres), and that lot size should partly be determined based how many lots are developed and whether or not new residential lots would result in loss of prime farmland.

Future residential lots within the "Housing Focus Areas" should be between 2 and 5 acres. In the agricultural areas, there should be a mixture of larger lots (>20 acres) and smaller lots (2 to 5 acres) with a maximum of one new small lot per 25 acres.

Future Residential Land Use

The future housing land use projects are based on an assumption that these future residential lots in the Housing Focus Areas will average 3.5 acres and that 40 percent the Focus Area would be dedicated open space. The projections also assume that 75% of new housing would occur within these Focus Areas (or a total of 60 units). This suggests a minimum of 350 acres needed for future Housing Focus Areas. This plan identifies about 750 acres of land for this purpose (see map).

Outside the Housing Focus Areas, limited residential development should be permitted. A total of 20 new housing units are anticipated in the agricultural/undeveloped portions of the town over the next 20 years, some of which will likely occur on existing lots. New lots in the agricultural areas should either be greater than 20 acres or between 2 and 5 acres. A maximum of one new small lot (2 to 5 acres) per 25 acres should be permitted. These lots should be located away from prime farmland and sensitive natural features, and should be configured in such a way to preserve as much contiguous farmland as possible.

[Note: Insert Map of existing 10 and 20 acre parcels]

**Land for Commercial and Industrial Development**

Given the very small amount of commercial land (9 acres) and the limited overall development expected in the town of the next 20 years, it is assumed that only one to two acres of land is needed for commercial or industrial development over the next 20 years. The Future Land Use Map identifies land at the intersection County Highway E and State Highway 91 and the intersection of County Highway 91 and the intersection of County Highway V and County Highway E for this purpose. Combined, these future commercial areas are 12 acres.

Redevelopment of existing commercial land may allow for additional new businesses in the future. Agriculturally-related commercial uses, such as farm equipment sales and repair, industries related to the production, processing, and sale of agricultural-related products, should also be permitted on existing farms to increase economic opportunities in the town and to accommodate commercial activities without the need for additional commercial land. In addition, bed and breakfast accommodations should be permitted in residential and agricultural areas throughout town.

## **Community Character & Design**

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At the community visioning workshop and in the community survey, residents cited preserving the community's rural character as an important issue. Rural character is influenced not only by the amount of development, but also by other factors such as the type of development, the position of homes and buildings in relation to the road and other features, the preservation of key views and natural areas, and the continuation of farming.

At the Land Use Workshop, residents were asked to evaluate a series of photos. The images in the survey represented different patterns of rural land development, including different set-backs, land layout, housing visibility from road, how close houses are together, whether houses are out in the open or more hidden, etc. In general, participants in this exercise liked photos that showed:

- Extensive mature trees around and in front of housing.
- Houses that were set back from the road.
- Homes that blended in with the surrounding landscape and didn't "stick out"
- Homes that were surrounded by open space
- Residential areas with adequate spacing between homes
- Residential areas with winding road
- Residential areas with housing on one side of the road and open space on the other

To ensure that Nepeuskun's rural character is maintained over the planning period, this section of the Plan provides the basis for community character planning, addresses in more detail the nature of development outlined in the Future Land Use Map 8, and sets the framework for more detailed transportation, economic development, neighborhood

development, and community facilities recommendations presented in this document.

## **Rural Views and Key Landscape Features**

As you drive down any road in Nepeuskun, farms fields, barns, trees, and wetlands dominate the landscape and provide an attractive rural setting. Occasional views of Rush Lake and the surrounding natural landscape also help to define the character of the community.

Preserving this rural landscape is dependent on limiting development in key areas and on protecting significant landscape features and views when development does occur. Specifically, new development in the town should:

- Avoid productive farmland and, in areas with nearby farmland, be located so as to limit potential impacts on future farming operations.
- Protect and provide adequate buffers for sensitive environmental features, including open water, wetlands, streams, forests, and key habitat areas.
- Protect key views of rural vistas, ridgelines, and key natural features such as Rush Lake.
- Minimize the visual intrusion of new buildings by: preserving trees and other vegetation on the site; locating buildings away from the road and where possible behind vegetation or physical landscape features that help to obscure the building; and limiting the distance from which you can see new buildings by avoiding ridgelines and open fields.

This Plan calls for codifying these design standards in the town's zoning ordinance and applying them to any new development proposal. In addition, billboards should be restricted to preserve the character and aesthetics of town.

### **Clustered Versus Scattered Housing**

Like many rural communities, Nepeuskun is struggling with how best to accommodate new homes in a way that protects the rural landscape. In some instances, smaller lots sizes can help to protect rural character by limiting the loss of farmland and habitat fragmentation. Similarly, clustering several homes together, rather than spreading them throughout town, can help to limit the impact of new development on farming, habitat, and hunting opportunities by maintaining large expanses of unbroken land and by concentrating new housing away from agricultural areas.

On the other hand, clustered housing and houses on small lots are not necessarily part of the historic rural landscape or experience. As a result, this pattern of development can look out of place in the rural setting and may not meet the needs of people seeking a rural life.

In the Community Survey, residents were asked whether clustered housing, housing scattered throughout the town, or a mix of clustered and scattered housing would best for accommodating new housing in Nepeuskun. The results were as follows:

- 22 percent (22 people) indicated that they would prefer clustered housing. The main reason cited was a desire to protect farmland from residential development.
- 41 percent (41 people) indicated that they would prefer scattered housing. The reasons

for this included a desire to limit “subdivisions” (or suburban-patterns of development), a desire to protect the rural feel of the town, and a desire to allow flexibility/freedom for people wanting to sell land or buy land for housing.

- 37 percent (37 people) indicated that they would prefer a mix of clustered and scattered housing. People who selected this option generally indicated that they saw the value of both and felt that the best solution was to allow for a mix of housing patterns.

To address this diverse public opinion, the Plan calls for clustered housing surrounded by open space within the “Housing Focus Areas,” and a combination of clustered and scattered house within the agricultural areas. To protect high quality farmland and rural character, housing in the agricultural areas should be limited as discussed above.

### **Rural Form**

Nepeuskun’s rural form is derived from its historic development as an agricultural, hunting, and outdoor recreational community. This character is reflected in the houses, old school houses, and barns/silos/sheds. These unique properties provide local landmarks, and enhance the overall “rural” character of the community. The Town should encourage proactive preservation of these landmarks.

## Land Use 20-Year Vision

In 2030, Nepeuskun remains an attractive rural farming community. New housing is primarily clustered in designated "Housing Focus Areas", which feature mid-sized lots and extensive connected open space. These new homes fit into the rural landscape and are set back from the road to minimize visual impact. Outside the Housing Focus Areas, new residential development has been limited to protect farmland and preserve the rural character of the community. New residential lots in the agricultural areas are located away from prime farmland and sensitive natural features, and have been configured in such a way to preserve as much contiguous farmland as possible. Natural areas and rural views have been protected throughout town. The result is community that creates opportunities for rural living without undermining the visual character, agricultural resources, and natural areas that residents value.

### Goals

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*Goals are broad, advisory statements that express general public priorities about how the Town should approach preservation and development issues.*

- G7.1** Protect productive farmland from development.
- G7.2** Protect sensitive natural areas from development.
- G7.3** Allow for growth without losing the rural feel of the town.
- G7.4** Protect private property rights, and provide farmers and other land owners with some flexibility to sell off lots.
- G7.5** Limit the visual impact of new residential development.
- G7.6** Provide opportunities for new agricultural-related business.
- G7.7** Provide residents with a high-quality rural life.

### Objectives

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*Objectives suggest future directions in a way that is more specific than goals. The accomplishments of an objective contribute to the fulfillment of a goal.*

- O7.1** Limit the amount of residential development in agricultural areas.
- O7.2** Locate new residential development away from prime farmland and sensitive natural features.
- O7.3** Configure new lots in agricultural areas in a way that preserves as much contiguous farmland as possible.
- O7.4** Protect key views of rural vistas, ridgelines, and key natural features such as Rush Lake.
- O7.5** Preserve trees and other vegetation on new residential lots.
- O7.6** Locate new buildings away from the road and where possible behind vegetation or physical landscape features that help to obscure the building.

### Policies

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*Policies are rules, courses of action, or programs used to ensure Plan implementation and to accomplish the goals and objectives.*

- P7.1** Revise the Town's zoning ordinance to allow new lots in the agricultural areas that are either greater than 20 acres or between 2 and 5 acres.

A maximum of one new small lot (2 to 5 acres) per 25 acres should be permitted.

- P7.2** Revise the Town's zoning ordinance to allow lots between 2 and 5 acres in size in the Housing Focus Areas.
- P7.3** Revised the Town's zoning ordinance to permit small-scale commercial development at the corner of Highway E and State Highway 91 and the corner of County Highway V and County Highway E, as designated on the future land use map.
- P7.4** Revise the Town's subdivision ordinance to require at least 40% of a subdivision within the Housing Focus Areas to be set aside as permanently protected open space.
- P7.5** Establish rural design guidelines that limit the visual impact of new development.
- P7.6** Revise the Town's zoning ordinance to permit agriculturally-related commercial uses on existing farms, such as farm equipment sales and repair, industries related to the production, processing, and sale of agricultural-related products.
- P7.7** Revise the Town's zoning ordinance to permit bed and breakfast accommodations throughout the town.