

8 Land Use

8.1 Land Use Chapter Purpose and Contents

This element includes a brief summary of existing land use conditions and trends followed by a series of goals, objectives, and recommendations to guide the future development and redevelopment of public and private property in the Town of Leon. The element also contains an analysis of opportunities for redevelopment and existing or potential land use conflicts. It concludes with a twenty-year future land use plan.

8.2 Summary of Existing Conditions

The following section identifies a summary of existing land use conditions and trends for the Town of Leon as identified by the East Central Wisconsin Regional Planning Commission (ECWRPC). A complete listing of existing resources information can be located in the *Town of Leon Comprehensive Plan Volume Two: Existing Conditions Report*.

Existing Land Use

- The Town of Leon existing land use map was last updated by the Town in 2000.
- The land use categories are agricultural, residential, commercial, industrial, transportation, utilities/communications, institutional facilities, recreational facilities, water features, woodlands and other open land.
- The Town of Leon encompasses approximately 23,185 acres. Seven percent (6.9%) of the total area is developed.
- Overall, woodlands (planted and unplanted) account for 62 percent (61.7%) of the total land use, while cropland (irrigated and non-irrigated) accounts for about 16 percent (16.3%).
- Since the year 2000, irrigated croplands have been planted within the Town.

Zoning

- The Town of Leon utilizes Waushara County Zoning.
- The predominant zoning district in the Town is "General Agriculture" (85.2%).

Table 8.1: Town of Leon Existing Land Use, 2000

Land Use	Total Acres	% Land Developed	% of Total
Single-Family Residential	799	50.1%	3.4%
Farmstead	127	7.9%	0.5%
Multi-Family Residential	0	0.0%	0.0%
Mobile Home Parks	0	0.0%	0.0%
Industrial	1	0.0%	0.0%
Parks / Outdoor Recreation	2	0.1%	0.0%
Commercial	4	0.3%	0.0%
Institutional Facilities	4	0.3%	0.0%
Utilities	2	0.1%	0.0%
Transportation	656	41.2%	2.8%
Total Developed	1,595	100.0%	6.9%
Non-Irrigated Cropland	3,789		16.3%
Irrigated Cropland	0		0.0%
Planted Woodlands	3,282		14.2%
Unplanted Woodlands	11,020		47.5%
Active Quarry	2		0.0%
Other Open Land	3,305		14.3%
Water Features	192		0.8%
Total Acres	23,185		100.0%

Land Use Trends

- According to data collected by ECWRPC, the percentage change of residential, commercial, and industrial acreages increased and the percentage of parks and cropland acreages decreased between 1980 and 2000.
- ECWRPC data is verified by Department of Revenue (WI) estimates illustrating that residential and institutional acreages are increasing, while agricultural acres are decreasing.

Residential Density and Intensity

- Between 1990 and 2000, residential densities increased throughout the county, state, and the Town of Leon. During this time period, residential densities increased by about 5 percent from 22.53 units per square mile to 23.64 units per square mile in the Town of Leon.
- When comparing the number of residential properties to the amount of land classified as single-family (including farmsteads, duplexes, and mobile homes), a single-family intensity of just under 1 unit per acre was recorded for the Town in 2000 (851 units on 925.71 acres).

Land Demand and Pricing

- According to the Department of Administration (WI), between 1990 and 2007, 275 net units were added within the Town of Leon. This averages to about 15.3 units per year (units/yr).
- The Wisconsin Department of Revenue (DOR) annually reports equalized value by real estate class per municipality in Wisconsin. Overall, both the Town of Leon and Waushara County experienced steady increases in land value between 1998 and 2008. During this time period, the value of land in the Town of Leon increased by 90 percent, while land values in the County increased by 103 percent.
- From 2006 to 2008, the Town's land value (8.1%) increased at a noticeably slower rate than the County (19.8%), indicating that land in the County is appreciating more rapidly and is in greater demand.
- State of Wisconsin housing statistics provided by the Wisconsin Realtors Association illustrate that the median home sale price in Waushara County increased from \$81,800 in 1998 to \$105,000 in 2008. This represents a 28 percent increase.

8.3 Opportunities for Redevelopment

Like many rural communities, the Town of Leon does not have its own downtown center where a variety of services are provided and opportunities to redevelop non-residential properties remain. Instead, the Town consists of a variety of residential homes and working farms. However, there is one active non-metallic mining operation within the Town which will offer long-term redevelopment opportunities. The Town should coordinate with regional authorities to implement the quarry's reclamation plan when productivity of the site has ceased.

8.4 Existing or Potential Land Use Conflicts

Throughout the Town, there are single-family residences and small commercial operations. The only potential land use conflict is the active quarry operation located on Badger Drive. This use can produce noise and heavy-vehicle traffic.

8.5 Land Use Goals, Objectives, and Recommendations

The following section identifies goals, objectives, and recommendations to guide the future development and redevelopment of public and private property in the Town of Leon. The goals and objectives identify what should be accomplished, whereas the recommendations focus on identifying the action necessary to achieve the desired outcome. Existing prerogatives were carried over from the *Town of Leon Land Management Plan (2002)*.

8. 1: Preserve the unique and desirable qualities of the Town's landscape that define its rural character.

Objectives

- a. Eliminate unsightly properties and other elements generally regarded as eyesores.
- b. Minimize the visual impact of non-farm residential development on the rural landscape.
- c. Protect the visual integrity of important scenic features and/or vistas.
- d. Adopt regulations which implement this comprehensive plan while still allowing for flexibility in specific development situations.

Recommendations

- 8.1.1 Require all platted subdivision of land to have approval of the Town Board before County plat approval is sought.
- 8.1.2 Ensure that any new land uses are located appropriately, as per the Proposed Land Use Map.
- 8.1.3 Specify minimum design standards for new development plans and require a preliminary plat submission to include concept plan which illustrates the lot arrangement, roadway design layout (with widths specified), and the location of all sizable trees, waterways and other significant natural features (including topography, drainage patterns, native prairies, endangered species habitat, etc.).
- 8.1.4 Establish a minimum 5 acre lot size for all proposed new land divisions throughout the Town of Leon not located within an existing approved recorded certified survey map (CSM) or platted major subdivision. The 5 acre minimum would not apply to lots created within a major subdivision, conservation subdivision, or plat, approved by the Town and Waushara County. This strategy is intended to aid in preserving the rural character of the Town. Definitions for types of land divisions are as follows:
 - Land Division – a lot split with 2 parcels as a result
 - Minor subdivision – a certified survey map (4 lots or less)
 - Major subdivision – a preliminary and final plat approval (5 or more lots)
 - Conservation subdivision -- a plat which sets aside protected open space in exchange for allowing smaller lot sizes with the overall net density being similar to a conventional subdivision.
- 8.1.5 The Town Board by majority vote can grant an exception to the five acre minimum lot size for a parcel to be given or sold to an immediate family member for their own occupancy as their primary residence.
- 8.1.6 Recommend the Town Board establish minimum performance design standards for approving a conservation subdivision. If a developer is able to meet the more demanding design standards, no public hearing would be required. This would provide an incentive for developers to consider providing protected open space, which would help to preserve and strengthen the rural character of the Town.

8.2: Establish appropriate lot sizes for various land use applications.Objectives:

- a. Allow for appropriate growth and development while controlling parameters.
- b. Consider the individual rights of landowners when assessing development proposals while encouraging development that complements and benefits the community as a whole. This includes making decisions consistent with Exhibit 8-3 and related definitions in Section 8.7.

Recommendations

- 8.2.1 Establish required minimum lot sizes appropriate to each land use type.
- Gen. Ag. (5 ac. minimum lot area with a 300' minimum road frontage width)
 - Agr. Res (5 ac. minimum lot area with a 300' minimum road frontage width)
 - RS 10 - Res. Single Family (10,000 sq. ft. lot area)
 - RS 20 Res. Single Family (20,000 sq. ft lot area)

Goal 8.3 Preserve and protect natural and important agricultural areas.Objectives

- a. Preserve environmentally sensitive areas.
- b. Utilize existing county tools and policies.

Recommendations

- 8.3.1 Deny building permits or any land use that threatens the environmental quality of the air, water, or land in the Town.
- 8.3.2 Use physical feature considerations of the land in question to determine land use decisions, not new septic technologies.
- 8.3.3 Identify environmentally sensitive sites and use zoning overlay districts to protect them from development. Major subdivisions should not be approved within any area designated as environmentally sensitive.
- 8.3.4 Continue to support the county's prohibition of pyramid type development on local lakeshores.
- 8.3.5 Any proposals for development on "Prime farmland" or "Unique farmland" soil categories should be scrutinized very carefully in order to preserve this land use category for its agricultural value.
- 8.3.6 Plan land uses so that proposed residential estates (i.e.: any new home) which may be incompatible with traditional farm odors and practices, are located at a safe distance from farms, thereby allowing these uses to co-exist.
- 8.3.7 Promote the use of conservation easements as an option to lower the tax burden on some farmlands where appropriate. This can be accomplished by 1) placing articles in the Town newsletter to explain the benefits of a conservation easement, 2) Sponsoring a guest speaker to address the subject, 3) Placing information on the website, and 4) inserting information describing the tax advantages of conservation easements with the annual tax bill.
- 8.3.8 Promote a Purchase of Development Rights plan for the Town. (PDR)
- 8.3.9 Continue to support and encourage conditional use applicants to consult with Town officials **before** applying to the County for home-based business permits.
- 8.3.10 Preserve "the right to farm" for existing and future agricultural operations by stating that it is the Town of Leon policy to protect existing viable farms that wish to continue operating by requiring the use of a deed restriction on all new development within the town. Before a transfer of title or abstract takes place, a new building permit is issued, or a land division/subdivision is approved by the Town, the property owner or any prospective purchaser/developer would be required to place a deed restriction on the land to be transferred, on the land on which a new home is proposed to be built, and on all newly created parcel(s), anywhere within the Town of Leon. This deed restriction would state that the land

owner or any future owner would agree to not file any legal action which could preclude the activities of traditional farming operations from continuing in the Town of Leon.

Goal 8.4 Preserve and protect natural and important environmental areas.

Objectives

- a. Preserve environmentally sensitive areas.
- b. Utilize existing county tools and policies.

Recommendations

8.4.1 Create new parks and recreation areas and direct the County Parks Commission to study future park and recreation needs and make recommendations for the most desirable locations.

8.4.2 Recommend the Town apply for DNR Stewardship matching grant funds and other potential funding sources to assist with acquisition of new parklands.

8.4.3 Provide for both active and passive recreational needs by making existing DNR properties more accessible.

8.4.4 Protect and/or improve the quality of surface and groundwater resources by requiring vegetative greenbelts around lake frontages to act as a vegetative filter to remove erosion sediments and utilize nutrients before they can enter the lake or stream.

8.4.5 Foster Town sponsored informational forums which seek to educate the public on how to minimize the contamination of lakes by reducing chemical runoff from our yards.

8.4.6 Prohibit industrial uses that produce waste or a waste byproduct, which could seep into groundwater aquifers.

8.4.7 Regulate on-ground surface disposal of septic waste and identify properties, which have permits to allow surface spreading of septage, and monitor the amount spread in order to protect groundwater.

8.6 Land Use Projections

Wisconsin statutes require comprehensive plans to include twenty-year projections for residential, commercial, industrial, and agricultural uses by five-year increments. A summary of future land use projections developed by East Central Wisconsin Regional Planning Commission is listed below.

Existing residential density was calculated at just over 2 units per acre. If this density remains constant and projections utilize the minimum lot size for parcels zoned general agriculture, the Town of Leon would likely experience and increase of 1029 residential acres by 2030. Commercial and industrial increases are forecast to coincide with increases in residential development (increases of 2 acres commercial, and 1 acre industrial.) See Table 8.2.

Table 8.2: Future Land Use based on Medium Residential Density

Land Use	2005 Acres	2010 Acres	2015 Acres	2020 Acres	2025 Acres	2030 Acres	Change in Acres	% Change
Residential	1,217	1,421	1,627	1,834	2,040	2,246	1029	46%
Commercial	4	5	5	6	6	6	2	33%
Industrial	3	3	4	4	4	4	1	25%
Agricultural	3,205	2,797	2,385	1,972	1,560	1,147	-2058	-179%

Sources: ECWRPC 2000 land use, household projections. US Census 2000. DOA. SAA.

8.7 Proposed Land Use Categories and Map

This section describes the proposed land use districts utilized on the Proposed Land Use Map (Exhibit 8-3) and describes the intent and placement of these categories.

Proposed Land Use Categories

8.7.1 Agricultural/Natural: the agricultural/natural district is established for areas in which agricultural and certain compatible low intensity uses are encouraged as the principal uses of land or are designated as public use natural spaces, such as parkland and conservancy areas.

8.7.2 Residential: the residential district includes land uses where the predominant use is housing. This includes large-lot residential development as well as more compact residential lots.

8.7.3 Commercial: the commercial district includes areas dedicated to the sale of goods or merchandise and office developments.

8.7.4 Industrial: the industrial district is established in select areas to enable industrial activities when compatible with adjacent land uses.

8.7.5 Environmentally Sensitive Areas: these areas include lands where special protection is encouraged because of unique landscape, topographical features, wildlife, or historical value. The district may include woodlands, wetlands, undeveloped shorelands, floodlands, groundwater recharge and discharge areas, and steeply sloped lands.

8.7.6 Public/Institutional: this district includes a range of public, social, and institutional uses. These uses are public or semi-public, and are generally tax exempt. Specific uses include schools, libraries, parks, municipal buildings, health care facilities, places of worship, and transportation right-of-way corridors or other public lands.

8.7.7 DNR Owned Lands: DNR owned lands are owned and managed by the WisDNR and may or may not be open to the public.

8.7.8 Water Features: these areas include lakes, streams, and other water bodies.

8.7.9 Transportation: this district includes all roads and other accommodations for transport.