

CHAPTER 8 - LAND USE

66.1001 (2)(h) Wis. Stat:

Land Use element. 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 66.1001(2)(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 show current land uses and future land uses that indicate natural limitations for building site development, floodplains, wetlands and other environmentally sensitive lands, the boundaries of areas to which service of public utilities and community facilities, as those terms are used in 66.1001(2)(d), will be provided in the future, consistent with the timetable described in 66.1001(2)(d), and the general location of future land uses by net density or other classifications.

The purpose of this plan's land use chapter is to compile an inventory of existing land use patterns, and establish the goals, objectives and policies which will be used to guide public and private actions concerning future land use and development. These goals, objectives and policies express ideas that are consistent with the desired character of the Town and the other chapters of the Comprehensive Plan.

Section 8.1 Existing Land Use

Land uses within the Town of Stockton are quite diverse when compared to other Towns in Portage County. The Town of Stockton has high concentrations of vegetable production; it is in close proximity to the urban area, infrastructure, and regional agricultural suppliers. Table 8.1 below and Map 8.1 depict the present distribution of different land uses across the Town.

Table 8.1: Acreage of Existing Land Use Town of Stockton, 2015

Existing Land Use	Acres	Percentage
Residential	2,762	7.5%
Commercial	52	0.1%
Agricultural	19,853	53.9%
Governmental/Institutional	150	0.4%
Parks and Recreation	927	2.5%
Industrial	86	0.1%
Non-Metallic Mining	935	2.8%
Road/Rail Right-of-Way	1,225	3.3%
Undeveloped/ Vacant	10,584	29.5%
Water	93	0.3%
Total	36,667	100%

Source: Town of Stockton and Portage County Planning and Zoning Department

A. Residential Land Use

Residential land use includes single-family and seasonal residences, mobile homes, and farm residences or farmsteads. For the purposes of land use calculation, rural residences and farmsteads were estimated to occupy approximately 2 acres of area within the larger parcel, while calculations for acreage in concentrations of residential use are based on actual parcel size. As of January 2015, 2,762 acres, or 7.5% of the Town's land area was devoted to a residential land use. The majority of residences are scattered along County Road highways and local roads throughout the Town. Small concentrations of homes are also located in the unincorporated settlements of Arnott, Stockton, Custer, and Fancher, as well as 17 platted subdivisions and two mobile home parks.

B. Commercial/Industrial Land Use

Commercial and Industrial activities within the town are limited in scope, and spread out in several areas. When combined, these two categories comprise 138 acres, or just .2% of the Town. These lands are located primarily near major road intersections and railroad lines. The largest concentration of commercial and industrial activity in the Town is along the Canadian National rail line, followed by the Arnott area, Custer, and Fancher. Sand and gravel extraction facilities account for the majority of lands classified as manufacturing or industrial. This reflects the abundant, high quality sand and gravel deposits which exist throughout much of the central portion of the town.

C. Agricultural

Agricultural is the most extensive land use in the Town, comprising 53.9% of the total area. Irrigated vegetable crop production, dairy farming, and livestock productions are the primary agricultural activities. Common irrigated crops include potatoes, snap beans, peas, soybeans and sweet corn. Over the years, advances in irrigation technology, such as high volume irrigation wells and self-propelled, center-pivot irrigation equipment, have allowed new and larger fields to be farmed. Irrigated vegetable crop production occurs primarily in the western half of the Town, which is part of the sand plain region of central Wisconsin. Dairy farming and livestock production occurs primarily in the eastern half of the Town.

D. Government/Institutional

Approximately .4% or 150 acres of land in the Town of Stockton is dedicated to government/institutional land. These lands include existing municipal and government owned structures, public schools, educational research lands, churches, cemeteries, and fire stations. These structures are identified as the New Town Hall, Fire Station, and Town Garage. Others structures include the Old Town Hall on the corner of 6th and Custer Rd., the Arnott Recreational Center on CTY Rd. J and 4th St., cemeteries, three landfills, the Midwest Renewable Energy Association in Custer and the following churches: St. Mary's Custer and St. Mary's Fancher.

E. Road (Right-of-Way)

Roads, Railroads, and road right-of-way comprise 3.3% of the land area. This includes 130 miles of federal, county, and local roads, based on the town road plats provided by the Wisconsin Department of Transportation which includes approximately 1,225 acres. The majority of these roadways have a road right-of-way width of 66 feet. USH 10 is a notable exception, with a substantially greater road right-of-way. The Canadian National Railroad has routes, which traverse the Town with a minimum right of way of 100 feet, various sidings, and comprises approximately 87 acres of land.

Map 8.1: Existing Land Use (2015)

F. Parks and Recreation

Approximately 2.5% of the land area in the Town of Stockton is used for recreational purposes. Lands in this category are primarily publicly owned, but may also be privately owned. Public lands may include State, County, or Town Parks, nature preserves, bike trails, boat landings, or athletic fields. Private lands may include golf courses, campgrounds, etc. The majority of these lands are associated with Standing Rocks Park, a County park located on 29 acre Bear Lake, in the southwestern part of the Town. The park encompasses 531 acres, the majority of which is maintained in a natural state. More information regarding recreational facilities can be found in the Utilities and Community Facilities chapter of this Comprehensive Plan.

G. Non-Metallic Mineral Extraction

935 acres is the current acreage of the combined non-metallic mining operations in the Town. This is covered in more detail under subsection B (Commercial/Industrial Land Use).

H. Undeveloped/Vacant

Lands in this category make up the second largest land use in the Town of Stockton, accounting for 10,584 acres, or approximately 29.5% of the total. Included in this category are subdivision lots that have yet to be developed, as well as larger lots with homes on them, where rural residences and farmsteads are estimated to occupy only 2 acres of the larger parcel, as described in more detail under subsection A (Residential Land Use). Currently there are some residents in Farmland Preservation, Woodland Tax, and Forest Crop programs that are still in effect.

Also included in this category are privately owned wooded and unwooded areas, fallow fields, wetlands, and scrub or shrub land. These lands are scattered throughout the Town and those that are not wetlands can be attributed in large part to being steeper slopes and stonier soils.

I. Water

Lakes constitute a small fraction of the land area at 0.3% or 93 acres. Lakes identified by WIDNR are: Adams Lake, Bear Lake, and Lake Thomas.

Section 8.2 Land Use Trend Analysis and Projected Land Use

The Town of Stockton has been, and still is, predominantly an agricultural community. However, increased residential development in the recent past may be a sign of changes to come. The upgrade of USH 10 to a four-lane facility through the Town along with the close proximity to Stevens Point and Plover is likely to make Stockton a more desirable area to live. Consequently, there is an increased potential for more residential and/or commercial development in the Town.

A. Residential Land Use

The Town of Stockton is becoming more of a bedroom community. People want to live in a rural environment with urban services. They are purchasing 2-5 acre lots or larger. The Town desires residential growth to take place in areas designated for residential land use.

B. Commercial/Industrial Land Use

Although commercial and industrial activity seems to be at a standstill, recent trends are showing a renewed interest in small businesses moving into the Town. The uses include: trucking services, retail & sales establishments, restaurants, taverns, offices, home based businesses, other professional services, gravel pits, commercial and industrial lands, as well as, non-metallic mining. Future commercial/industrial land use recommendations within the USH 10/Custer Road/Cty Rd J area will be considered on a case-by-case basis. Revitalization of existing hamlets will be considered.

C. Agricultural Land Use

Much of the agricultural lands are being consolidated into larger operations. Some of the smaller agricultural operations with marginal soils are being farmed differently or being split into smaller lot sizes. Potatoes were considered the largest vegetable crop but now we are seeing varied crop rotations for economic reasons.

Lands identified for Agricultural Land Use should be reserved for agriculture operations and activities, with some exceptions for residential growth with controlled development and buffers, as described in a Town Subdivision Ordinance. Agricultural land should be protected as much as possible, and other land uses limited that would cause conflicts with agricultural operations.

D. Trends in Land Values

Table 8.2 below details the growth of equalized values for the different property types within the Town of Stockton for the period 1980 to 2015, as compiled by the State of Wisconsin Department of Revenue. The implementation of agricultural use value assessment in the mid 1990's redistributed valuations from the Agricultural category to the Residential, Forest, and Other categories. The Other category (created between 1990 and 2000) includes, "buildings and improvements; including any residence for the farm operator's spouse, children, parents, or grandparents; and the land necessary for the location and convenience of those building and improvements (WI Statutes 70.32)." The critical factor defining "Other" property is its actual use supporting a farm enterprise. If an assessor obtains verifiable evidence that buildings on a farm are used for agricultural purposes, they qualify as "Other." (WI DOR *Agricultural Assessment Guide for Wisconsin Property Owners 12/03*)

Since 2006, a few changes were made to the property categories. A new category called 'Agriculture Forest' was created. Also, the Swamp and Waste category was renamed to 'Undeveloped' and is defined as land that includes areas commonly called marshes, swamps, thickets, bogs, or wet meadows; areas with soils of the type identified on soil maps as mineral soils that are "somewhat poorly drained," "poorly drained," or "very poorly drained," or "water," and areas where aquatic or semi-aquatic vegetation is dominant. This class also includes fallow tillable land (assuming agricultural is the land's highest and best use), road right of way, ponds, depleted gravel pits, and land that, because of soil or site conditions, is not producing or capable of producing commercial forest products.

Table 8.2: Equalized Assessed Property Values, Town of Stockton

Type of Property	1980		1990		2000		2015	
	Value	% of Total	Value	% of Total	Value	% of Total	Value	% of Total
Residential	\$21,643,000	39%	\$37,577,000	52%	\$101,473,000	74%	\$202,625,600	83%
Commercial	\$1,039,000	2%	\$1,907,000	3%	\$5,032,000	4%	\$7,744,000	3%
Manufacturing	\$479,000	1%	\$392,000	1%	\$723,000	1%	\$2,027,300	1%
Agricultural	\$26,895,000	48%	\$27,658,000	39%	\$8,378,000	6%	\$2,622,200	1%
Swamp & Waste	\$38,000	0%	\$97,000	0%	\$241,000	0%	-	-
Undeveloped*	-	-	-	-	-	-	\$2,256,500	1%
Ag Forest*	-	-	-	-	-	-	\$4,211,000	2%
Forest	\$3,516,000	6%	\$2,995,000	4%	\$6,246,000	5%	\$5,667,900	2%
Other	\$0	0%	\$0	0%	\$12,918,000	9%	\$13,575,600	6%
Personal Property	\$2,467,000	4%	\$1,111,000	2%	\$2,220,000	2%	\$4,746,500	2%
Total Value	\$56,077,000		\$71,737,000		\$137,231,000		\$245,476,600	

Source: Wisconsin Department of Revenue Statistical Report of Property Valuations, 1980, 1990, 2000, 2015

*Represents new or revised Type of Property since 2000.

E. Redevelopment and New Development Opportunities

The older established areas in the Town may need to be upgraded or redeveloped with sewer or sanitary services. These areas include Custer, Arnott, and Stockton. Road networks in these communities may need to be upgraded. These are the areas that will be considered for mixed uses in an attempt to revitalize the existing communities.

Town of Stockton has many miles of railroad access and major state highways running through it. This will provide opportunity for future new development areas.

Section 8.3 Land Use Conflicts

Land use conflicts occur when incompatible land uses are located adjacent to one another. Many of these conflicts occur when industrial, commercial, and agricultural uses are developed immediately adjacent to residential neighborhoods or vice versa. Factors that create conflicts between residential properties and commercial, industrial, and agricultural operations include noise, traffic, odors, hours of operation, and lighting.

Some other areas of conflict include:

1. Potential for Farm/Non-Farming conflicts exists between agricultural operations and neighboring non-farming landowners.
2. The possible location of US HWY 10 bypass in the Town.

Section 8.4 Land Use Issues, Concerns and Conclusions

A. In 2001 a County-wide survey of resident's attitudes was completed by the Portage County Planning and Zoning Department. The Town of Stockton survey results, in their entirety, are included in Appendix B; the following are Stockton survey responses related to land use.

Survey Question 3: Local units of government have the responsibility to protect property owners and the community by regulating land use.

Agree/Strongly Agree
69%

Disagree/Strongly Disagree
14%

Survey Question 4: The use of zoning regulations is beneficial.

Agree/Strongly Agree
75%

Disagree/Strongly Disagree
10%

Survey Question 5: People should be allowed to develop their property any way they see fit.

Agree/Strongly Agree
25%

Disagree/Strongly Disagree
54%

Section 8.5 Land Use Goals, Objectives and Policies

A. Goals

1. Provide for orderly, planned growth, efficient uses of land, public services, and tax dollars, while preserving the Town's rural character.

B. Objectives

1. Maintain our transportation system.
2. Support Agricultural operations and maintain local conditions that support the Town's agricultural economy.
3. Conserve natural areas and recreational resources within the Town.
4. Work with County Planning and Zoning Department to incorporate lot density into the Portage County Zoning or Subdivision Ordinance.
5. Work with both the City of Stevens Point and Village of Plover as they update their extraterritorial areas within the Town.

C. Policies:

1. Update the existing County zoning map for the Town of Stockton.
2. Continue to participate in planning and zoning decisions at the County level, which affect the Town. This includes rezoning and subdivision requests acted on by the County Planning and Zoning Committee, as well as special exception requests on the County Board of Adjustment.
3. Request Town representation on the Stevens Point Urban Area Sewer Service Advisory Committee.
4. Consider future road locations, extensions or connections along with accommodation of alternative forms of transportation, when reviewing development plans and proposals.
5. Work with the Railroad Commission to maintain or improve railroad crossings.
6. Utilize the Conservancy Zoning District to protect important or fragile environmental areas, including but not limited to navigable lakes and streams, shorelines, wetlands and publicly owned lands.
7. Encourage land use practices which protect air, land and water quality as well as the scenic value of the Town.
8. Cooperate with the County and adjoining communities to protect municipal wellhead recharge areas, which lie within the Town of Stockton.
9. Commercial uses which generate substantial volumes of traffic, particularly truck traffic, should be located near county roads or state highways. This is intended to avoid increased maintenance of town roads, as well as minimizing traffic safety hazards to residents along those roads.
10. Work toward Shared Revenue and Municipal Boundary Agreements with Stevens Point and Village of Plover.
11. Support the continuance and growth of Agricultural Operations in appropriate locations.
12. Promote residential densities that maintain quality groundwater.
13. Encourage residential and/or small or medium commercial development toward existing hamlets of Custer and Arnott.
14. Be flexible with new development opportunities.

15. Encourage diverse development and growth (to include residential, commercial, industrial and recreational).
16. Develop a Guide for the Development Process in Stockton.
17. Work to preserve agricultural and rural lands through use of the Portage County Open Space subdivision option or a density-based form of land division.

Section 8.6 Future Land Use Recommendations

A. Extraterritorial Area

The process of projecting future land use needs within the Town of Stockton include some variables that are difficult to completely determine, given the present circumstances of urban expansion. Recognizing that land uses in town territory may affect neighboring cities and villages that may need to grow beyond their borders, state laws have long provided these municipalities with certain “extraterritorial” authority over adjacent town lands and have provided methods for them to expand their borders through annexation. This city and village extraterritorial authority may apply to planning, land division approvals, zoning and the city or village official map. The extra territorial jurisdiction for a city with a population of 10,000 or more is three miles from its corporate boundary, while the extra territorial jurisdiction for a city whose population is under 10,000 and for villages is one and one half miles from their corporate boundaries.

The Town of Stockton lies in the direct path of expansion for the City of Stevens Point (and eventually the Village of Plover), therefore the potential exists that land in Stockton will be annexed into the City or Village. It is in the interest of Stevens Point, Village of Plover, and the Town of Stockton to have this expansion occur in an orderly manner.

The City of Stevens Point indicated, through its 2006 Comprehensive Planning process, the desire to expand its’ borders in order to accommodate its’ own anticipated growth over the next twenty years. In the fall of 2014, the City began the process of updating its Comprehensive Plan. The Town should use this opportunity to open discussion with the City regarding future growth needs. See Map 8.4 below for their 2006 future land use suggestions.

In their 2005 Comprehensive Plan, the Village of Plover did not indicate expansion into the Town of Stockton for the next 20 years, but extraterritorial boundary rights do exist. The Village also began updating its Comprehensive Plan in 2014. A discussion regarding the Village’s extraterritorial area should take place between the Village and the Town of Stockton in the near future.

The Town recognizes the expansion of the City and the Village will have a direct impact on its ability to pay for services, keep tax base, and maintain community identity. In light of anticipated growth, Stockton, Plover, and Stevens Point have had preliminary discussions regarding their community needs. Working to provide a framework for orderly growth and development over time is important to all municipalities. Topics such as a ‘working cooperative service provision’ and ‘shared revenue agreements’ should be included in discussions with surrounding municipalities. The Town of Stockton should continue to maintain a good working relationship with all other neighboring governments to ensure community identity and cost effective provision of services where possible.

B. Town of Stockton Development

Future Town of Stockton development and redevelopment should occur around existing communities. Map 8.2 illustrates the physical constraints for development within Stockton, along with Wellhead Protection zones, and the extent of the City of Stevens Point, Village of Plover and Village of Nelsonville extraterritorial areas within Stockton. Table 8.3 and Map 8.3 describe the future land use recommendations for the Town of Stockton Comprehensive Plan, and identify how development should proceed in the future to meet the Town’s goal of encouraging a pattern of community growth and development that will provide a quality living environment while protecting rural character and land owner rights.

Table 8.3 Future Land Use in the Town of Stockton, 2025

Future Land Use	2005 Acres	Percentage	2025 Acres	Percentage	Change 2005 to 2020	5-year increment
Residential	2,576	7.0%	2,887	8%	+311	+104
Commercial	22	0.06%	166	0.4%	+144	+48
Agricultural (L1, L2, L3)	20,123	54.3%	29,897	81%	+9,774	+3,258
Governmental/Institutional	133	0.4%	58	0.4%	0	0
Parks/Recreation/Natural Areas	2,044	5.5%	2,199	6%	+155	+52
Industrial	36	0.1%	152	0.2%	+116	+38
Non-Metallic Mining	889	2.4%	1,694	4%	+805	+268
Road/Rail Right-of-Way	1,138	3.1%	0	N/A	N/A	N/A
Vacant/Undeveloped	10,092	27.2%	0	0%	-10,092	-3,364
Total	37,053	100%	37,053	100%		

Source: Town of Stockton and Portage County Planning and Zoning Department

Table 8.3 details anticipated changes in land use; increases in acreages for growth categories will be offset with corresponding decreases in the Vacant and Agricultural categories.

There is no “Undeveloped” category on the Future Land Use map; all areas were assigned an anticipated future use that meets the goals, objectives and policies of this Comprehensive Plan.

The Future Land Use Map designations are only intended to identify what compatible uses would be for the particular parcels; they are not intended to require these parcels to develop in these uses throughout the planning period.

Land Use recommendations include both immediate and long range planning goals to be implemented. The long range Land Use Plan recommendations will be implemented over the course of the 20 year planning period as development proposals and land use changes are presented to the Town for consideration. The Town will need to periodically update its zoning map to reflect changing land uses and land owner requests.

Map 8.2 Constraints Map

Map 8.3 Future Land Use Map

Map 8.4 Extraterritorial Area - City of Stevens Point and Village of Plover's Future Land Use

Section 8.7 Future Land Use Categories/Mapping Criteria

Categorizing the many acres of land in the Town into different land use classes is a formidable task. In order to ensure accuracy and consistency throughout the mapping process, specific mapping criteria were developed.

A. Residential Mapping Criteria

The term “residential” is intended to identify platted subdivisions and clusters of lots. Proposals for new residential development shall be considered on a case-by-case basis at the request of the landowner. Approval of such use may require a change to the land use map. The following areas were mapped:

1. Existing developed residential zoning.
2. Platted subdivisions and clusters of lots, strongly residential in character, that have been developed under agricultural zoning. It is suggested that such areas be identified and considered for rezoning to an appropriate residential district where there is evidence of land use conflicts or where there is a consensus among the residents as to the need for residential-oriented restrictions.
3. Area for expansion of residential development based on goals and policies in this plan. Current non-residential uses would be allowed until future residential development occurs.
4. Refer to the Development Constraints Map 8.2 for residential land use exclusions.

Land Use Categories:

Residential:

- Existing concentrations of lots of record smaller than 2 acres are included in this category.
- Lots equal to or greater than 2 acres per residence.

B. Commercial and Industrial Mapping Criteria

For many rural communities, it is difficult to determine where commercial activity might occur. Most of the businesses that develop are home or farm-based and do not have the option of relocating. The Town has a clear vision of Commercial and Industrial Development areas within its borders. It has mutual understandings with the Village of Plover and the City of Stevens Point on their extraterritorial plans within the town. All such requests for Industrial and Commercial Development will be considered by the Town Planning Commission, the Town Board, and the County on a case-by-case basis, based on the goals, objectives, and policies of the Town’s Comprehensive Plan. See Appendix D for the Stockton Design Guidelines for Commercial and Industrial areas. Approval for such use may require a change to the land use map. The following areas were mapped:

1. Existing developed commercial zoning.
2. Existing developed industrial zoning.
3. Areas where existing structures are in place.
4. Areas proposed for future commercial & industrial use.

Land Use Categories:

Commercial:

Includes uses as allowed in commercial zoning districts.

Industrial:

Uses that relate to the manufacturing of a product or other uses that are allowed in the Industrial Zoning District.

C. Agricultural Mapping Criteria

Lands recommended predominantly for the continuation of agricultural pursuits, the protection of productive agricultural lands, and the retention of the rural nature of the community. Any residential subdivision activity should be designed to be buffered from the predominant agricultural activity. Residential subdivisions in agricultural use areas should be re-designated as residential land use, as described within the Town’s Subdivision Ordinance. In recognition of the differentiation of soil characteristics throughout the Town, changing agricultural economy, and development pressures, three categories of agriculture will be used based on the intensity of the agricultural operations Stockton:

Land Use Categories:

L-1 Enterprise Agriculture:

The Enterprise Agriculture Category is intended to include lands that can support a full range of intensive agricultural uses, including large dairies, cranberry operations, large confined livestock feeding operations, and concentrations of irrigated vegetable crop production. The district’s uses and regulations are designed to implement Comprehensive Plan goals by encouraging livestock and other agricultural uses in areas where conditions are best suited to these agricultural pursuits, and discouraging residential development to avoid potential land use conflict. Due to the more intensive nature of uses allowed, the L-1 category is not intended to be applied near moderately- to densely-populated areas, and it is not intended to accommodate residential uses as principle uses.

L-2 Intermediate Agriculture:

The Intermediate Agriculture Category is intended to preserve and enhance land for agricultural uses. Large confined livestock operations should be limited to ensure compatible land use and minimize conflicts with adjacent uses. The intensity of agricultural uses allowed in this district is less than that of the L-1 Enterprise Agriculture category but more than the L-3 Limited Agriculture category. This category’s uses and regulations are designed to encourage agricultural uses in areas where soil and other conditions are best suited to these agricultural pursuits, and control residential development to avoid potential conflict with agriculture uses.

L-3 Limited Agriculture/Mixed Use:

The Limited Agriculture/Mixed Use Category is intended to provide for the continuation of low intensity agricultural uses, recommend against new and expanding livestock operations, provide for careful siting of single family residences, and support other uses that maintain the rural characteristics of the area. It may serve as a buffer for more intensive agricultural uses in adjacent categories, and prevent premature conversion of rural lands to urban and other non-agricultural uses. The category’s use and development regulations are designed to implement the Comprehensive Plan goals by discouraging urban and suburban development in areas that are suited to agricultural uses and that are not well served by public facilities and services.

D. Natural Areas Mapping Criteria

These are lands recommended to remain in their natural state or for non-intensive uses such as recreation, wildlife habitat, or forest management. This category will also be applied to lands that are classified as major wetlands. Limited residential development could occur in a manner that does not negatively impact the ecological or aesthetic value of areas designated for preservation in their natural state. Criteria for identification may include the following:

1. Major Wetlands
2. Publicly owned lands used for recreation or wildlife/resource management.
3. Lands recommended remaining in their natural state due to the potential for destroying or degrading major natural wetlands.

Land Use Category:

Natural Areas

E. Institutional Mapping Criteria

Institutional lands are lands where public facilities exist or are to be located. Facilities include, but are not limited to, government services and institutions, educational, religious, cemeteries, medical and health care, military, power plants, solid waste disposal sites, communications and transmission towers and pipelines.

Land Use Category:

Institutional

F. Non-Metallic Mineral Extraction Mapping Criteria

These areas are considered economically viable resources, and are identified within specific boundaries to minimize or avoid conflict with other adjacent land uses. Resource extraction uses include clay, sand, gravel, and other aggregate extraction. The Town supports tipping fees for non-metallic mining operations in the Town for general revenue and infrastructure maintenance.

Land Use Category:

Non-Metallic Mineral Extraction

Section 8.8 Open Space And Rural Landscape Preservation

If the implementation of the Open Space Design Option is used the Town of Stockton wants to allow for low-density residential development while also preserving the traditional rural/country appearance and character of the township. The traditional rural nature of the township with farms, woodlands, wetlands, quiet roads, and open spaces is what has drawn many residents to the Town. Residents have expressed a desire to maintain a countryside environment while also allowing opportunities for growth (see results of community survey in Appendix A). This open space section of the land use plan identifies areas in the Town suitable for low-density residential development, where additional efforts to preserve open spaces will be made.

The Open Space Design Option will allow low-density residential development at densities ranging from one dwelling unit per two-acres to one dwelling unit per ten-acres, depending on the base zoning. Residential dwelling units can be clustered onto lots as small as two-acres and remaining open spaces will be preserved through various zoning and legal techniques.

Residential parcels would be clustered at the time land is split under County plat requirements when the Open Space Design is selected. The Town of Stockton does not require all lots to adjoin the Open Space area, although permanent easements to allow access to the Open space are required for all lots. The Town will allow road right of way as a means of access and abutment for lots to the designated open space.

A. Primary and Secondary Open Space Areas

To protect those elements of the landscape that define open space and enhance the rural living experience, the Town of Stockton has classified portions of the Town as Primary and Secondary Open Space Areas. In general, Open Space Areas include lands that are either environmentally sensitive, such as wetlands, floodplains and prime agricultural soils, or are important for maintaining a rural, uncluttered landscape, such as sustainable farmlands, large woodlots, scenic views, historic architecture and wildlife habitat. A boundary map for the Primary Open Space Areas defined below is located in Appendix E of this Comprehensive Plan.

1. Primary Open Space Areas

Natural regions of the town comprising only the most severely constrained lands, where development is typically restricted under current codes and laws. Portage County has determined the following elements to be included in the Primary Open Space Area:

- Wisconsin Department of Natural Resources Regulated Wetlands
- Federal Emergency Management Agency 100 Year Floodplain
- Riparian Buffers, 100 feet from lakes and navigable streams
- Public Parks and Recreation Property
- Lands enrolled in Land Trust Programs or Conservation Easements

2. Secondary Open Space Areas.

Secondary Open Space Areas may include natural, historic or cultural elements identified by the community or developer as significant for preserving the natural landscape of the area. The Town of Stockton Board shall review individual requests for land splits when a landowner uses the Open Space Design Option. The Town Board will work with the property owner to determine which of the Secondary Open Space Areas should take priority on the proposed development, given the unique features that exist in different areas of the Town. The Town Board may delegate the planning responsibility to a designated Town Committee. Up to fifty percent (50%) of the Secondary Open Space Areas may be included in the developed area of any specific project.

The Town of Stockton has determined the following elements to be included in the Secondary Open Space Areas:

- **HYDRIC SOILS:** The Town should look to support alternatives to building on this type of soil. Groundwater and surface water contamination, as well as construction limitations, are common problems associated with developing in hydric soils. For the purpose of this plan, hydric soils are defined as soils where depth to groundwater is generally less than one foot from the surface.
- **SIGNIFICANT WILDLIFE HABITATS:** Preserve natural areas that attract and protect native wildlife, so the abundance of wildlife found in the Town will continue to flourish into the future. Significant wildlife habitat, for the purpose of this plan includes natural

meadows, woodlands exceeding 10 contiguous acres in area and natural corridors used by wildlife for movement throughout the area. Woodlands are a major component of the rural character of the Town. Where feasible, developments should work with the lay of the land, preserving them for aesthetic beauty and wildlife.

- **FARMED AGRICULTURAL REGIONS:** Family farms and smaller hobby farms contribute much to the rural character of the area. Every effort should be made to protect our prime agricultural soils and profitable agribusiness and farmlands for their continued viability. Rural development should be directed to areas where conflict with farming operations is minimized according to the Right to Farm Law.
- **SCENIC VIEW-SHEDS AND ROAD CORRIDORS:** The unique scenic beauty of the Stockton area undoubtedly persuaded many residents to settle here, and it should be maintained wherever possible. New developments should be sited to minimize intrusion into scenic vistas from public rights-of-way or natural areas. Homes should be buffered from roadways by natural vegetation wherever possible, and new road cuts should be kept to a minimum.

See Appendix F for a map of Primary Open Space Areas.

Although the main objective is to preserve the rural character, The Town of Stockton reserves the right to allow environmentally sensitive development in appropriate areas through the public hearing process and the granting of special exceptions where appropriate. The following is a simplified example of how an open space design may be determined for a property:

The first step, which involves the identification of open space worthy of preservation, is divided into two parts: Primary Open Space Areas (Figure 1) limited to regulatory wetlands, floodplains and steep slopes, and Secondary Open Space Areas (Figure 2) including those unprotected elements of the natural and cultural landscape that deserve to be spared from clearing, grading, and development.

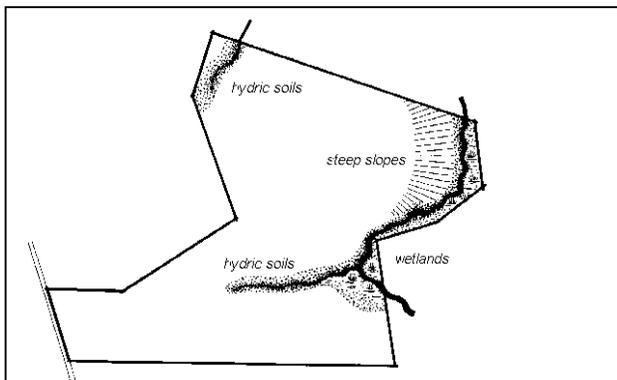


Figure 1: Primary Open Space Areas

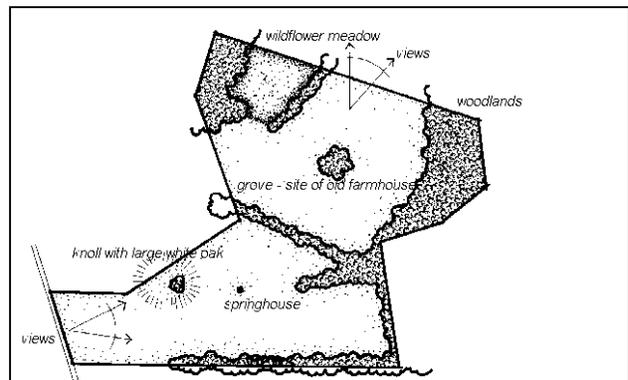


Figure 2: Secondary Open Space Areas

The result of combining the Primary and Secondary Open Space Areas, identified in the first step, is a map showing areas of the site suitable for future development (Figure 3). With development areas outlined, suitable home sites, roadways and lot lines can be added to the plan.

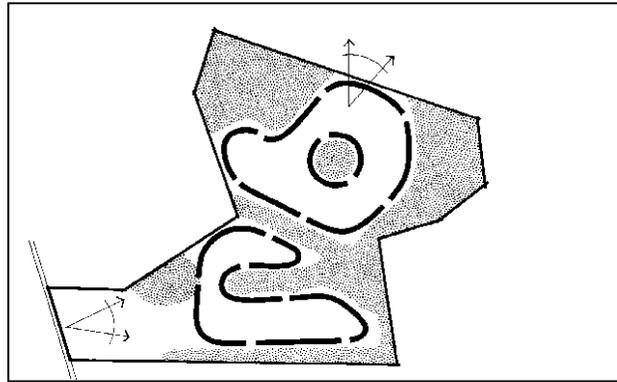


Figure 3: Suitable Development Areas

Figure 4 shows a finished subdivision, designed by the process described above. The subdivision on the right (Figure 5) depicts a conventionally designed subdivision, splitting the entire parcel into individual lots.

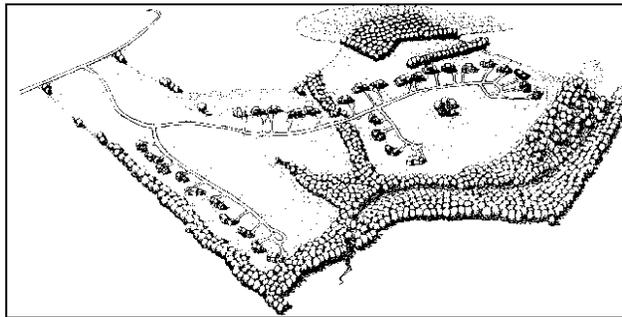


Figure 4: Open Space Designed Subdivision

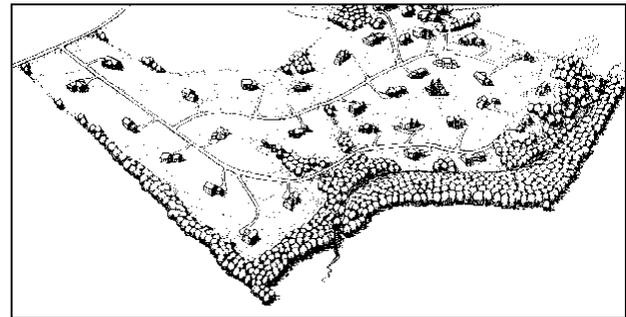


Figure 5: Conventional Design Subdivision

Section 8.9 Use of “Planned Development” Within the Town of Stockton

In order for individual Towns within the County who fall under the County Zoning Ordinance (like Stockton) to utilize the new Planned Development (PD) Zoning District, its use must be discussed and justified within the Town’s Comprehensive Plan.

The intent of the PD District, as defined by the Portage County Zoning Ordinance, is to *accommodate higher density single or mixed use development in unique and appropriate circumstances across the County. The District provides an alternative to traditional site development, and allows for greater flexibility and imagination in design, while maintaining protection of the rural environment and preserving aesthetics, natural resources, and the character of agricultural lands.*

A PD is used to provide for flexibility from what a more traditional/conventional zoning ordinance would normally allow. The PD is designed and created as a single controlled project that allows a single- or multi-use development within its borders. PD type zoning is used to enhance preservation of natural resources/environment and encourage an innovative design to ensure adequate facilities and services for the development.

Why is this type of development good for the Town of Stockton, and what does it provide for the Town? Why does the Town desire to have the ability to use a PD type of zoning district?

- Properties that were previously seen as not valuable for development might draw more interest, including those that may have been considered as having development limitations in the past.
- PD may allow a variety of uses in a single development project, which could help increase the Town's tax base.
- PD may allow higher density residential development which should be good for local businesses (more people in town to support businesses).
- This type of development could lead to additional "meeting places" within the Town, something that there are not a lot of at this time.
- To encourage elderly and handicap housing opportunities, which are needed, especially for the aging community who wish to continue to make the Town of Stockton their home.

The PD District is intended to be used for unique development projects and not meant to be a widely used zoning option. Requests for Planned Development will be considered by the Town Planning Commission, the Town Board, and Portage County on a case-by-case basis, based on the goals, objectives, and policies of the Town's Comprehensive Plan. A successful Planned Development project shall comply with the Portage County Planned Development District (PD) Ordinance (Section 7.1.4.5).