

CHAPTER 8 Land Use Element

66.1001 (2)(h) Wisconsin Statutes:

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 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 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

The Town of New Hope is a mix of lakes and wetlands situated amongst rolling agricultural and forested lands. These characteristics, combined with a relatively low population density, help to distinguish the Town from other parts of the County. Table 8.1 and Map 8.1 illustrate the distribution of different land use categories across the Town.

Table 8.1: Town of New Hope Existing Land Use, 2017

Existing Land Use	Acres	Percentage
Residential	804	3%
Commercial	1	<1%
Agricultural	8,828	38%
Governmental/Institutional	37	<1%
Right-of-Way	568	2%
Parks and Recreation	1,582	7%
Undeveloped/Vacant	11,503	49%
Total	23,323	100%

Source: Town of New Hope and Portage County Planning and Zoning Department

A. Residential Land Use

This category includes several types of residential dwellings, including single-family and seasonal residences, mobile homes, duplexes, and farm residences or farmsteads. Concentrations of residences are found on Sunset, Onland, and Rinehart Lakes, while remaining residences are scattered throughout the Town, generally located along the established road network. For the purposes of land use calculation, rural residences and farmsteads were estimated to occupy approximately 2 acres of area if located within a larger parcel, while calculations for residential uses concentrated in subdivisions or clusters were based on actual parcel size. In 2017, 804 acres, or 3% of the Town's land area, were devoted to residential land use.

B. Commercial/Industrial Land Use

At .66 acres, or .003%, commercial development accounts for the smallest amount of land use in the Town. This category is comprised of a single business located in the southwest corner of the Town. While agriculture and home-based business operations contribute to a majority of the commercial activity in the Town, they are excluded from this category.

As of the writing of this plan, there weren't any lands within the Town identified as having industrial uses.

C. Agricultural Land Use

Lands in this category represent the predominant land use in the Town. Approximately 38% of the total acreage for Town of New Hope has a use that is primarily agricultural. This includes irrigated and non-irrigated crop lands, dairy farms and livestock operations, lands that have structures used to store agricultural equipment or products, and small, isolated stands of trees that are surrounded by agricultural use.

D. Government/Institutional Land Use

This category includes, but isn't limited to, existing municipal and government owned structures, churches, cemeteries, public schools and other educational facilities. These lands make up only 0.2% of the total Town acreage. The greatest portion of these lands is attributed to the presence of the Central Wisconsin Environmental Station, a teaching and learning center operated by the UW-Stevens Point College of Natural Resources.

E. Parks and Recreation

Lands in this category can be either publicly or privately owned. Public lands may include State, County, or Town Parks, nature preserves, bike trails, boat landings, or athletic fields. Private lands may include such uses as golf courses, campgrounds, shooting ranges, etc. The majority of these lands is owned by the State of Wisconsin, and is associated with the Poncho Creek and Tomorrow River corridors.

F. Undeveloped/Vacant

In 2017, lands in this category made up the largest area of the Town, accounting for 11,503 acres, or approximately 49% of the total area. Land in this category, which includes wetlands, scrub or shrub land, privately owned forested areas, and water, is located throughout the Town. The majority of these areas are comprised of larger tracts of contiguous forested land along rolling hills, lakes and associated wetlands.

G. Road Right-of-Way

This land use category, which occupies 2% of the Town, includes all of the road surface and road right-of-way. Table 8.1 shows the acreage for this land use totaling approximately 568 acres.

Map 8.1 Existing Land Use

Section 8.2 Land Use Trend Analysis and Projected Land Use

The Town of New Hope is a rural community that lacks major transportation corridors or commercial centers. By 2040 the Town's population is projected to decrease by 38 individuals; therefore, future development will likely be sporadic and include a mix of low density, non-farm and scattered farm residential uses.

A. Residential Land Use

The Town's population has risen slowly, going from 694 to 718 residents over the last twenty (20) years. The Town of New Hope Plan Commission anticipates this trend to continue and desires to direct future non-farm residential uses away from higher intensity agricultural operations. The Town Plan Commission also recognizes that US Highway 10 (just southwest of the New Hope boundary) may play a role in increasing demand for residential uses throughout the Town. As a combination of agricultural and undeveloped lands would most likely be converted for any new residential uses, the Town recommends housing densities that have minimal impact on groundwater quality and other natural resources, as well as remaining agricultural operations.

Future residential land use needs can also be estimated by using the population and household projections from Chapter 1 (Issues and Opportunities) of this Comprehensive Plan. A total population of 680 people is projected for New Hope in the year 2040, as well as a total projection of 292 households in the same year. If these numbers are subtracted from the total population and number of households in 2010 (718 and 297 respectively), the result would be a decrease of 38 people and 5 households in New Hope by 2040. In light of this expected decline the Town may want to focus their efforts over the next 20-year period on retaining its existing population, redeveloping the existing housing stock, and improving the quality of life for current residents.

B. Agricultural Land Use

New Hope residents consider agricultural land a valuable natural resource to the Town, and since it is the community's economic base, there is a desire to protect those who wish to farm. To encourage retention of the community's agricultural base, the Town Plan Commission recommends limiting residential densities near active agricultural operations.

Acreage in the Town of New Hope devoted to agricultural land uses is projected to decrease during this planning horizon due to an aging agricultural work force and a decreasing percentage of people entering the agricultural industry.

C. Commercial Land Use

As stated earlier, commercial activity within the Town consists primarily of home-based businesses. The Town anticipates that trend will continue. Developable acreage for commercial activities is abundant, provided that new businesses have a minimal impact on the agricultural community and are complementary to surrounding uses. There is a desire by Town residents to preserve and protect the existing open space and maintain the community's rural character, resulting in a future desire for very limited commercial activity in the Town.

D. Trends in Land Values

Table 8.2 describes the increase in the equalized values for the different property types, 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.

Table 8.2: Equalized Assessed Property Values, Town of New Hope

Type of Property	2000		2010		2016	
	Value	% of Total	Value	% of Total	Value	% of Total
Residential	\$28,302,200	64%	\$56,342,300	69%	\$58,899,400	72%
Commercial	\$26,300	0%	\$34,600	0%	\$36,700	0%
Manufacturing	\$0	0%	\$0	0%	\$0	0%
Agricultural	\$4,017,900	9%	\$1,471,200	2%	\$1,457,900	2%
Undeveloped	\$285,200	1%	\$2,059,300	3%	\$1,887,600	2%
Ag Forest	N/A	NA	\$5,874,800	7%	\$5,508,300	7%
Forest	\$7,502,000	17%	\$11,431,000	14%	\$9,161,300	11%
Other	\$4,304,100	10%	\$4,800,800	6%	\$4,339,000	5%
Personal Property	\$73,800	0%	\$130,400	0%	\$140,000	0%
Total Value	\$44,511,500	100%	\$82,144,400	100%	\$81,430,200	100%

Source: Department of Revenue, Historical Statement of Changes in Equalized Values 2000 and 2010 (Report 2) and Statement of Changes in Equalized Values 2016 (Expanded Version)

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 2016 *Agricultural Assessment Guide for Wisconsin Property Owners*). Additional modifications were made to the property categories in 2004 when the Swamp and Waste class of property was renamed Undeveloped, and the Agricultural Forest class of property was created.

E. Redevelopment Areas

The only sites identified for potential redevelopment include structures previously used as creameries. One of these sites is located at the intersection of County Roads Z and T.

Section 8.3 Land Use Conflicts

The primary land use conflict identified by the Town of New Hope Plan Commission was a potential for dispute between non-farm residences and existing farm operations. Due to the role agriculture plays in the community’s economy and character, the primary recommendations for conflict resolution are: to limit residential densities and direct non-farm residential building away from intensive agricultural operations, encourage the use of spatial and/or vegetative buffers, and provide information to citizens regarding expectations for rural living.

Section 8.4 Land Use Goals, Objectives and Policies

Goal 1: Protect the natural environment.

Objective 1.1: Support the maintenance of existing public lands and designated natural areas such as the Flume Creek corridor, New Hope Pines State Natural Area, and the Hemp Fisheries Area.

Objective 1.2: Lessen impacts to natural resources by limiting development.

Policy 1.2.a: Use Conservancy Zoning to protect valued natural resources in the Town.

Policy 1.2.b: Encourage conservation easements on private lands that are environmentally sensitive.

Policy 1.2.c: Encourage the creation of lake associations to maintain or improve water quality and wildlife habitat in area lakes.

Goal 2: Preserve the Town's rural character.

Objective 2.1: Agriculture is an important contributor to the Town's rural character. Therefore, preservation of productive agricultural lands will help to ensure the continuance of the Town's rural character and the maintenance of the agricultural economy.

Policy 2.1.a: Maintain productive agricultural land through the use of the Exclusive Agricultural (A-1) and Primary Agriculture (A-20) zoning districts.

Objective 2.2: Minimize conflict between farm and non-farm uses.

Policy 2.2.a: Limit the building of non-farm residences to single family homes on lots with a minimum area of 10 acres to buffer occupants from odors, noise, etc. associated with existing agricultural operations.

Policy 2.2.b: Encourage the selection of non-farm residential building sites on land not conducive to agriculture.

Policy 2.2.c: Work with Portage County Zoning Department to eliminate the provision within the A-1 and A-20 zoning districts that allow landowners to create 2-acre lots within these districts.

Policy 2.2.d: Allow commercial, and institutional uses only in locations specifically conducive to such uses and only if it is compatible with the interest and welfare of neighbors and the Town in general. A use involving heavy volumes of traffic or heavy weights should be located near State highways. Such requests may require a change to the Land Use map.

Objective 2.3: Limit the creation of new Town roads.

Policy 2.3.a: Encourage the selection of building sites of sufficient setback, especially in wooded areas, to preserve the rural atmosphere along existing roadways.

Policy 2.3.b: Priority is given to maintaining existing roads before adding new.

Goal 3: Maintain a balance between the public interest and private property rights.

Objective 3.1: Encourage public participation in Town government.

Policy 3.1.a: Maintain open communication with Town residents and land owners.

Section 8.5 Future Land Use Recommendations

Table 8.3 and Map 8.2 illustrate the Future Land Use recommendations for the Town of New Hope 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, preserve rural character, and protect natural resources. Future development and redevelopment should be encouraged in an orderly pattern compatible with existing development.

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 have to consider periodically updating its zoning map to reflect changing land uses and citizen requests.

Table 8.3: Future Land Use in the Town of New Hope, 2040

Land Use Category	2040 Acres	Percentage
Low Density Residential	239	1%
Commercial	4	<1%
Agriculture (L-2)	6,052	26%
Limited Agriculture/ Mixed Use (L-3)	8,609	37%
Institutional	34	<1%
Natural Areas - Protected	3,784	16%
Natural Areas - Limited	4,034	17%
Right-of-Way	568	2%
Total	23,323	100%

Source: Town of New Hope and Portage County Planning and Zoning Department

Section 8.6 Extraterritorial Land Use

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, subject to the applicable laws, apply to planning, land division approvals, zoning and coverage of 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.

Although the Village of Nelsonville's extraterritorial boundary extends into the southern portion of New Hope (Map 8.2), the Village anticipates growth will occur within its current corporate boundaries during this planning horizon, as indicated in its comprehensive plan. In addition, the Village has indicated a desire to meet periodically with Town officials to discuss ideas regarding future land use and other issues of mutual interest or concern within the extraterritorial area.

Map 8.2 Future Land Use

Section 8.7 Future Land Use Categories

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

As used here, the term “residential” is intended to identify existing concentrations of lots, which are distinguished by platting or nonagricultural zoning, where it is the original intent of the developer/residents to maintain a residential/neighborhood character and where nonresidential uses would be incompatible. Examples of areas to be mapped as residential include:

1. Existing developed residential zoning.
2. Existing platted concentrations of small lots of record which are not yet developed.

Land Use Categories:

Low Density Residential: Equal to, or greater than 2 acres per residence. Existing lots of record smaller than 2 acres are also to be included in this category.

B. Commercial and Industrial Mapping Criteria

Areas of existing, developed commercial or industrial land uses. For most rural communities, it is difficult to determine an appropriate location for the growth of commercial activity. Most of the businesses that develop are home or farm based and do not have the option of relocating. In New Hope, proposals for new industrial and commercial development shall be considered only on a case-by-case basis at the request of the landowner. All such requests must be considered by the Town Planning committee, the Town Board and the County based on the goals, objectives, and policies of the Town Comprehensive Plan. Approval for such use may require a change to the land use map.

Land Use Categories:

Commercial: Includes uses as allowed in Commercial zoning districts.

Industrial: Include uses where the manufacturing of a product from a raw material is the primary purpose of the business.

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.

In New Hope most of the land that is suited to agriculture has already been developed as farmland, primarily on slopes of 12% or less. The varied topography does not lend itself to support intensive, large-scale farming. The steeper sloping areas are highly erosive under cultivation and have generally remained wooded. Most of the low-lying, poorly drained wetland areas have also resisted conversion to farming. Stoniness is also a significant limitation in some areas.

In preparation for the 1986 Land Use Plan, New Hope Township was reviewed carefully, forty by forty, with regard to land use, including agriculture. This review was the basis for both the 1986 Land Use Map and the Zoning Map that followed. Most of this earlier review is still

relevant at present and will serve as the baseline from which to make revisions appropriate to the changing agricultural economy, increasing residential development pressures, and the recognition that some of the more marginal soils that were previously farmed would best serve other uses.

Land Use Categories:

Agriculture (L-2): The Agriculture Category is intended to preserve and enhance land primarily for a range of agricultural uses. Large confined livestock operations are not recommended in these areas due to potential conflicts and environmental degradation. The district's uses and regulations are designed to encourage agricultural uses in areas where soil and other conditions are best suited to these agricultural pursuits, control residential development to avoid potential conflict with agriculture uses, and allow individuals the opportunity to participate in Wisconsin's Farmland Preservation Program.

Recommended minimum lot sizes for lands in this category are: 35 acres, provided that criteria for inclusion in the A-1 zoning district are met, and 20 acres. The 20-acre minimum lot size is recommended for lands coming out of the A-1 zoning district. Requests for lands being converted from A-1 zoning to something other than the 20-acre minimum would require a Land Use Map amendment subject to a public hearing.

Limited Agriculture/Mixed Use (L-3): The Limited Agriculture category is intended to provide for the continuation of low intensity agricultural uses, recommend against the siting of larger new and expanding livestock operations, provide for the 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 districts 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 Town of New Hope's 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.

Also included in this category are small fields of cropland and lands expected to remain in green space for use in forestry, recreation, and low intensity residential use. Minimum lot sizes for lands in this category are recommended to be 10 acres. A 20 acre minimum lot size may also be appropriate in some areas.

D. Natural Areas Mapping Criteria

Lands recommended to remain in their natural state or for non-intensive uses such as recreation, wildlife habitat, or forest management. This category was applied to lands which are environmentally important or sensitive, including shore lands, wetlands, floodplains, steep slopes, substantial wildlife habitat and public resource areas. 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. Lands within 100 feet of navigable waters or to the landward side of adjoining wetlands, if greater than 100 feet. Excluding Onland and Rinehart Lakes, where lands within 75 feet along Onland and 35 feet along Rinehart should be included.
2. Wetlands mapped based on the Wisconsin Wetland Inventory Maps.
3. Federal Emergency Management Agency (FEMA) 100 year flood hazard areas.

4. Preexisting structures or cropland that would be nonconforming uses under Conservancy Zoning should be excluded from the NA – Protected category.
5. Publicly owned lands used for recreation or wildlife/resource management. Lands where public recreational facilities exist or are planned to be located should be included in the NA – Limited Category.
6. Other natural features of the landscape deemed important by the local community

Note: Designation of navigable waters and wetlands are based on Wisconsin Department of Natural Resources (WI DNR) information. Boundary lines may be adjusted based on on-site investigation by U.S. Army Corps of Engineers, WI DNR, or other appropriate agencies.

Land Use Categories:

NA – Protected: Lands recommended to remain in their natural state or for non-intensive, non-developed uses such as passive recreation, wildlife habitat, ground and/or surface water protection and forest management. Development of these lands is not recommended due to the potential of destroying or degrading important or unique natural resources or due to the excessive measures necessary to overcome development barriers presented by the environmental conditions.

NA – Limited Development: These lands include areas identified as natural areas, but may contain existing structures, cropland, or existing and planned recreational facilities. Lands that are environmentally important to the community include undeveloped shoreland areas and large tracts of unbroken forested land. Large tracts are defined as a minimum of 160 acres of contiguous forested land. Limited residential development could occur on these lands without negatively impacting the ecological and aesthetic value of the area. Minimum lot size for forested lands in this category is recommended to be 20 acres, and a 10-acre minimum is recommended along undeveloped shorelands.

E. Institutional Land Mapping Criteria

Lands where public facilities exist or are to be located. Facilities include, but aren't limited to: government services and institutions, educational, religious, cemeteries, medical and health care, military, power plants, solid waste disposal sites, and sewage treatment plants.

Municipal buildings, including administrative buildings, town halls, police stations, fire stations, and buildings for the repair or storage of machinery for road construction or maintenance are permitted uses in most agricultural zoning districts, per the Portage County Zoning Ordinance. Uses other than those listed here would be regulated by special exception.

Land Use Categories:

Institutional