

CHAPTER 8 Land Use Element

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 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.

The purpose of this 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, along with the land use category descriptions, 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 Carson consists of predominantly vacant and agricultural land and therefore has low development density. Table 8.1 below and Map 8.1 on the following page illustrate the distribution of different land use categories throughout the Town.

Table 8.1: Acreage of Existing Land Use in the Town of Carson, 2014

Existing Land Use	Acreage	Percentage
Residential	340	3.79%
Commercial/ Services	30	0.08%
Agricultural	16,320	46.19%
Governmental/Institutional	43	0.12%
Road/ Railroad Right-of-Way	1,415	4.00%
Parks/Recreation	2,035	5.76%
Industrial	40	0.11%
Vacant/Undeveloped	14,100	39.91%
Total	35,332.0	100%

Source: Portage County Planning and Zoning Department * acreages are rounded

A. Residential

Uses in this category include lands with structures built as dwellings. These include single family and seasonal residences, mobile homes, duplexes, and farm residences or farmsteads. Residences are scattered throughout the Town and are generally located along the established road network and water bodies. 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 September 2014, 1,340 acres of the Town's land area, were devoted to residential land use, an increase of 47 acres since 2004.

B. Commercial/Office

Commercial development accounts for a very small amount (30 acres, 0.1%) of land area in Carson. These lands include uses such as: retail and sales establishments, restaurants, taverns, offices, and other professional services. The majority of commercial uses, aside from home-based businesses, are located along or near County Road HH.

C. Agricultural

Agriculture is the largest land use in Carson. Lands in this category include crop lands, cranberry bogs, dairy farms, livestock operations, permanent pasture, and lands that have structures used to store agricultural equipment or products. These lands (16,320 acres) represent approximately 46% of the total Town acreage. The majority of larger, contiguous areas of agricultural use are found in the western half of the Town.

D. Governmental/Institutional

These lands include existing municipal and government owned structures, educational research lands, churches, cemeteries and fire stations. The greatest portion of these lands is attributed to Town owned property for the Town Hall and garage.

E. Road and Railroad (Right-of-Way)

This land use category covers all of the railroad and road right of way in the Town. Table 8.1 shows the combined acreage for these two modes of transportation, but broken down, the roads account for 1,120 acres and the railroad 295 acres.

F. Parks and Recreation

Lands in this category comprise approximately 6% of the total acreage in the Town. These lands could be publicly or privately owned. Public lands may include State, County, or Town parks, nature preserves, boat landings, or athletic fields. Private lands may include golf courses, campgrounds, etc. The majority of lands in this category are part of the Paul J. Olson Wildlife Area, which is owned by the WI DNR.

G. Industrial

The only lands in the Town listed under industrial use are the 40 acres found at the intersection of STH 34 and County Road HH. A petroleum storage and distribution facility is located at this site. The owner of this parcel, Koch Refining Company, also owns property immediately to the north and east of this site. This additional acreage may be used as a buffer from surrounding uses or for future expansion.

H. Undeveloped

Lands in this category make up the second largest land use in the Town of Carson, accounting for 14,100 acres, or approximately 40% of the total. Vacant land, which includes wetlands and

Map 8.1: Existing Land Use

shrub land, privately owned forested areas, and water, is scattered throughout the Town, primarily near the Mill Creek corridor, the Fogarty Marsh area, and lands between Mill Creek and Highway 10 in the eastern half of Carson.

Section 8.2 Land Use Trend Analysis and Projected Land Use

The Town of Carson is a community that is dominated by agricultural land, consisting mainly of dairy, beef, and row cropping operations. In order to maintain the Town's economic base and rural character, future development will most likely consist of a mix of low density, farm and non-farm residential use.

A. Residential Land Use

The Town's population has slowly decreased over the last 20 years; however, new development that has occurred has consisted mainly of non-farm residential uses. Since population projections indicate a slight increase over the next twenty years, there will be a sufficient amount of land to serve future residential land use needs.

The Town Plan Commission recognizes that the upgrade of U.S. Highway 10 to a four lane facility may increase demand for residential and commercial uses in close proximity to that facility. As agricultural lands would most likely be converted for any new residential uses, the Town recommends housing densities that will have a minimal impact on groundwater quality, other natural resources, and remaining agricultural operations. Future residential land use needs are based on population projections (2025) multiplied by 2 acres per housing unit. This future need is also based on the supposition that each new household will occupy a new housing unit (Table 8.3).

B. Agricultural Land Use

Although Lands designated as agriculture have shown a decline in equalized value over the last twenty years (Table 8.2), the Plan Commission anticipates that agriculture will continue to be a dominant use over the next twenty years due to lack of municipal services, environmental factors, and the desire of current farmers to continue farming. To encourage retention of the community's agricultural base, the Town of Carson recommends the protection of productive agricultural land. The Land Evaluation Site Assessment (LESA) system will be used as a tool to help identify productive agricultural areas (see the Agriculture, Natural, Cultural Resources Element of this Comprehensive Plan).

C. Commercial Land Use

The majority of commercial activity in Carson compliments the dominant agricultural uses and serves limited residential needs; the Town expects that trend to continue. Developable acreage for this type of commercial activity is abundant, provided that new businesses have a minimal impact on the agricultural community and are compatible with surrounding uses. The Town may experience an increase in demand for commercial use near the access points of the upgraded U.S. Highway 10 facility. The Town anticipates commercial development demand along the Highway 10 corridor and will continue to review all commercial requests on a case-by-case basis.

D. Parks and Recreation

Areas near the Paul Olson Wildlife Area have been identified in the WI DNR's Greater Prairie Chicken Management and Recovery Plan 2004-2014 as lands being important to recover, conserve, and enhance a viable population of Greater Prairie Chickens. As such, the plan recommends these areas to be managed as grasslands through public-private partnerships with the DNR, purchase of conservations easements, or through outright land purchase. The plan discourages residential development in grassland management areas.

E. Trends in Land Values

Table 8.2 describes the change in the equalized values for the different property types, as compiled by the State of Wisconsin Department of Revenue.

Table 8.2: Equalized Property Values, Town of Carson

Type of Property	1980		1990		2000		2012	
	Value	% of Total	Value	% of Total	Value	% of Value	Value	% of Total
Residential	\$10,313,000	25%	\$13,615,000	33%	\$47,900,000	58%	\$83,520,300	68.2%
Commercial	\$4,274,000	10%	\$6,829,000	17%	\$7,070,000	9%	\$9,382,900	7.7%
Manufacturing	\$0	0%	\$0	0%	\$0	0%	\$0	0.0%
Agricultural	\$23,686,000	56%	\$14,875,000	36%	\$8,238,000	10%	\$2,918,000	2.4%
Undeveloped	\$125,000	0.30%	\$312,000	1%	\$789,000	1%	\$1,794,700	1.5%
Forest	\$1,082,000	2.60%	\$3,228,000	8%	\$7,264,000	9%	\$7,904,600	6.5%
Ag Forest							\$5,216,200	4.3%
Other	N/A	N/A	N/A	N/A	\$9,887,000	12%	10,302,000	8.4%
Personal Property	\$2,522,000	6%	\$2,523,000	6%	\$1,951,000	2%	\$1,367,300	1.1%
Total Value	\$42,002,000	100%	\$41,382,000	100%	\$83,099,000	100%	\$122,406,000	100.0%

Source: Wisconsin Department of Revenue Statistical Report of Property Valuations, 1980, 1990, 2000, and 2012

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, December, 2003*).

Since adoption of this Plan, 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.

F. Redevelopment Areas

Since Carson is a rural community with no clearly defined patterns of development, other than residential use along the Wisconsin River, no sites or areas have been identified at this time for redevelopment.

Section 8.3 Land Use Conflicts

The primary land use conflict identified by the Town of Carson Plan Commission was a potential for dispute between non-farm residences and existing farm operations. Due to the important role agriculture plays in the community's economy and character, the primary recommendation for conflict resolution is to direct and encourage non-farm residential development away from

agricultural operations, encourage the use of spatial or vegetative buffers, and provide information to residents regarding Wisconsin's Right to Farm law.

Section 8.4 Land Use Goals, Objectives, and Policies

Goal A Maintain the Town's rural character.

Objective A.1 Recommend appropriate development densities throughout the Town.

Objective A.2 Encourage forest and wildlife management.

Policy A.1 Maintain ongoing communication with the Portage County Planning and Zoning Department regarding control of unlicensed vehicles and the accumulation of "junk" on private property.

Policy A.2 Encourage the use of spatial and vegetative buffers around residential areas to minimize conflict with farms, non-metallic mineral extraction, and sensitive areas.

Policy A.3 Limit density in designated areas of the Town.

Policy A.4 Some roads in the Town will be maintained as gravel roads.

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

Objective B.1 Encourage public participation in Town government.

Policy B.1 Maintain open communication with Town residents and land owners.

Goal C Preserve and protect productive farmland.

Objective C.1 Encourage programs that protect agriculture as a viable economy.

Objective C.2 Encourage cooperation with adjacent municipalities to protect productive agricultural areas.

Policy C.1 Use Exclusive Agriculture (A-1) Zoning to protect productive farmland.

Policy C.2 Inconveniences, such as aerial spraying, dust, noise, odors, etc. that come from agricultural operations and aren't a major threat to public health or safety, shall not be considered a nuisance.

Policy C.3 Inconveniences, such as equipment traveling on roads, shall not be considered a nuisance as long as the equipment does not exceed State weight limits.

Goal D Protect natural resources in the Town.

Objective D.1 Encourage the proper management of natural resources in the Town; including sensitive areas, wetlands, and groundwater.

Objective D.2 Encourage the proper siting and reclamation of non-metallic extraction operations.

Objective D.3 Encourage forest and wildlife management.

Policy D.1 Use Conservancy Zoning to protect valued natural resources.

Policy D.2 Encourage the use of conservation easements in appropriate areas.

Policy D.3 Limit development in areas designated on the Land Use map as Natural Area-Limited Development to a density of one (1) residence per 10 acres.

Goal E Manage residential growth within the Town

Objective E.1 Direct residential development to limit conflict with productive agricultural areas.

Policy E.1 Groundwater quality, traffic and transportation infrastructure, loss of rural character, and protection of open space are taken into consideration when recommending housing density.

Policy E.2 Allow for lands that are zoned Exclusive Agriculture (A-1) along existing roads to be re-zoned on a limited basis.

Section 8.5 Future Land Use Recommendations

Table 8.3 below and Map 8.2 illustrate the Future Land Use recommendations for the Town of Carson Comprehensive Plan, and identify how development should proceed in the future to meet the Town’s goals of protecting rural character, providing for orderly growth and encouraging development that will maintain the Town’s tax base. Future development should be encouraged in an orderly pattern adjacent to and compatible with existing development. The Town projects that any future residential, commercial, or industrial development will need to take place on converted agricultural lands since the vast majority of land designated as undeveloped will remain undeveloped due to constraints such as depth to groundwater and presence of wetlands.

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 land use or zoning map to reflect changing land uses and citizen requests.

Table 8.3: Future Land Use in the Town of Carson, 2025

Existing Land Use	2004 Acres	% of total	2010 Acres	2015 Acres	2020 Acres	2025 Acres	% of total	Change 2004 to 2025
Residential	1,293.80	3.66%	1,310.80	1,327.80	1,344.80	1,361.80	3.85%	0.19%
Commercial	32	0.09%	32	52	52	52	0.10%	0.01%
Agricultural	17,265.70	48.87%	17,252.70	17,150.70	17,133.70	17,116.70	48.45%	-0.42%
Industrial	34.7	0.10%	34.7	34.7	39.7	44.7	0.13%	0.03%
Governmental/ Institutional	9.2	0.03%	9.2	9.2	9.2	9.2	0.03%	0.00%
Road/Railroad Right-of- Way	1,258.10	3.56%	1,258.10	1,358.10	1,358.10	1,358.10	3.84%	0.28%
Parks and Recreation	1,139.70	3.23%	1,139.70	1,139.70	1,139.70	1,139.70	3.23%	0.00%
Vacant	14,298.80	40.47%	14,294.80	14,277.80	14,272.80	14,267.80	40.38%	0.09%
Total	35,332.00	100.00%	35,332.00	35,332.00	35,332.00	35,332.00	100%	

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

Map 8.2: Future Land Use

Section 8.6 Future Land Use Categories

Categorizing the land within the Town of Carson 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:

- Existing developed residential zoning.
- Subdivisions or clusters of lots, strongly residential in character, that have developed under agricultural zoning. It is recommended that such areas be identified as residential in this Plan, but considered for rezoning to an appropriate residential district, only where the majority of residents are in agreement as to the need for residential zoning restrictions.

Areas for expansion of residential development are based on goals and policies in this Plan. Current non-residential uses would be allowed until future residential development occurs.

Land Use Categories:

Low Density/Rural Residential: Equal to, or greater than 2 acres per residence.

Medium Density Residential: Less than 2 acres per residence. These lands may include single family residential uses and are located primarily along the Wisconsin River corridor.

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 developed are home or farm-based, and do not have the option of relocating. Some communities have a clear vision of a commercial or industrial development area while others may not. Proposals for new industrial and commercial development should be considered only on a case-by-case basis, based on the goals, objectives, and policies of the 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 is the primary purpose of the business.

C. Agricultural Mapping Criteria

This category includes lands recommended for the continuation of agricultural pursuits, the protection of productive agricultural lands, and the retention of the rural nature of the community. In recognition of the varying nature of soil characteristics throughout the County, the changing agricultural economy, and non-agriculture development pressures, three categories of agriculture will be utilized, based on the intensity of the agricultural operations in that area:

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, large confined livestock feeding operations, and concentrations of irrigated vegetable crop

production. The L-1 Category 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 are recommended to be limited to ensure compatible land use and minimize conflicts. The intensity of agricultural uses allowed in this category is less than that of the L-1 Enterprise Agriculture category but more intense than the uses recommended in the L-3 Limited Agriculture category. The L-2 category uses and regulations are designed to encourage agricultural uses in areas where soil and other conditions are best suited to these agricultural pursuits, and residential development is controlled to avoid potential conflict with agriculture uses.

This category is intended to include broad areas of the Town which were judged to have potential for a variety of future uses, rather than a single "best" use. Recommended land uses within this category include agriculture and related farm residences and activities, together with woodlands and grasslands. Low density, nonfarm, residential development is also considered appropriate in this category on a site specific basis, with minimum 2 acre lots. Commercial and industrial development may be compatible, but should be considered on a case-by-case basis, along with public and municipal uses, and approval for such use may require a change to the land use map.

L-3 Limited Agriculture/Mixed Use: The Limited Agriculture 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.

These lands are located primarily near the Junction City area as a result of the upgraded Hwy 10 facility. Future low density, nonfarm, residential development is also considered appropriate in this category, with minimum 2 acre lots.

D. Natural Areas Mapping Criteria

This category includes lands recommended to remain in their natural state or for non-intensive uses such as recreation, wildlife habitat, or forest management. It 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. Wetlands mapped based on the DNR Wetland Inventory Maps and hydric soils defined in the Soil Survey of Portage County Wisconsin.
2. Federal Emergency Management Agency (FEMA) 100 year floodplains as adopted by Portage County.
3. Publicly owned lands used for recreation or wildlife/resource management.
4. Floodway along the Wisconsin River

5. Other natural features of the landscape deemed important by the local community.
6. Existing structures (as of February 17, 2015) that would be nonconforming under Conservancy Zoning are to be excluded from the Natural Areas – Protected land use designation.
7. Pre-existing cropland that would be nonconforming under Conservancy Zoning is to be excluded from Natural Areas - Protected.

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.

Lands in this category include:

- Wetlands mapped based on the DNR Wetland Inventory Maps and hydric soils defined in the Soil Survey of Portage County Wisconsin.
- Federal Emergency Management Agency (FEMA) 100 year floodplains as adopted by Portage County.
- Publicly owned lands used for recreation or wildlife/resource management.

Note: Designation of navigable waters and wetlands are based on DNR determination. Boundary lines may be adjusted based on on-site investigation by County or other appropriate agencies.

NA – Limited Development: Identifies lands that are environmentally important to the community. Development of these lands is intended to be low impact due to the potential negative impacts on important or unique natural resources. **Minimum lot size for the Natural Area – Limited category is recommended to be 10 acres.**

Lands in this category include:

- Floodway along the Wisconsin River
- Other natural features of the landscape deemed important by the local community
- Existing cropland as of 2013, that would otherwise be considered Natural Areas – Protected, should be designated as Natural Areas – Limited

E. Institutional Land Mapping Criteria

This category includes 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.

Land Use Category: Institutional

F. Resource 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.

Land Use Category: Non-Metallic Mineral Extraction