

## **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 show 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 service of public utilities and communities 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 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 should express ideas that are consistent with the desired character of the community and the other chapters of the Comprehensive Plan.

### **Section 8.1 Existing Land Use**

To plan for the future land use and development in Nelsonville it is important to consider and understand existing land uses and past development. The existing land use inventory (Table 8.1) and Map 8.1 are snap shots of how Village land was being used in 2004.

**Table 8.1: Existing Land Use in the Village of Nelsonville, 2004**

Existing Land Use	Acres	Percentage
Single Family	54.9	8.1%
Multiple Family (2-4 plex)	0.3	0.04%
Commercial	9.8	1.5%
Industrial	0	0%
Institutional	2.0	0.3%
Outdoor / Park	2.3	0.3%
Agricultural	326.8	48.4%
Natural Area	172.7	25.6%
Right-of-way	44.8	6.6%
Gravel pit	0.2	0.03%
Vacant	61.7	9.1%
<b>Total</b>	<b>675.5</b>	<b>100%</b>

Source: Village of Nelsonville and Portage County Planning and Zoning Department.  
Existing land use is classified based on the primary use of a parcel

#### A. Residential Land Uses

In 2004, the Village of Nelsonville has 55.2 acres of residential land, representing 8.2% of all land in the Village. Nelsonville residential uses were broken down to two categories, single-family use and 2-4 units (multiple-family) use, and are distributed throughout the Village mixed-in with commercial, institutional and agricultural uses. The majority of residential land use is single family. In 2004, 54.9 acres were devoted to single-family homes, and only 0.3 acre were devoted to multiple family homes.

#### B. Commercial Land Uses

Commercial land uses occupied 9.8 acres (1.5%) of land in 2004. Commercial uses are generally defined by less intensive business type uses such as retail or offices, with the exception of Signature Press, a printing firm.

#### C. Industrial Uses

The Village currently does not have industrial uses.

#### D. Institutional Land Uses

Institutional land occupies 2.0 acres (0.3%) of Village land. Institutional uses include lands owned and used by the Village, the Rising Star Mill, the Post Office, and the Department of Natural Resources (DNR) lands.

#### E. Park Land

The Village contains 2.3 acres of park land (Village of Nelsonville Park, and open space behind the Rising Star Mill), as well as the swimming beach on Lake Elaine, which is owned by the Village, but is just outside the Village boundary.

#### F. Agricultural and Idle Land Use

Agricultural land is the largest existing land use category, containing 326.8 acres, or 48.4% of all land. This category is applied to a property if it is devoted primarily to agricultural related practices and idle land.

#### G. Natural Areas

Natural Area land makes up the second largest category, containing 172.7 acres (26.6%). Natural Area land are defined as wetlands and floodplains with in the Village.

#### H. Vacant

Parcels classified as vacant were those that contained no structures or apparent use, including agriculture. Vacant land in Nelsonville accounts for 61.7 acres, or 9.1% of land area. Some of these vacant parcels may be developable; others are within an existing residential neighborhood and are too small to be built upon. In some cases two vacant adjacent lots could be combined to create one larger build able lot.

Map 8.1: Existing Land Use

## **Section 8.2 Land Use Trend Analysis and Projected Land Use**

### **A. Trend Analysis**

The population for the Village of Nelsonville has not grown very much in the last 50 years, and is currently projected to increase by approximately 20 people by the end of the planning period (2020). The number of housing units within the Village has remained at slightly more than 70 units for the past twenty years. Commercial activity has been stable to declining (see the Economic Development chapter for full analysis).

### **B. Projected Land Use**

The projected growth of Nelsonville's population to 216 persons by the year 2020 will not result in a large demand for residential and commercial land, however careful planning of what does develop is still desired by the Village. The large amount of land available for urban-type development within the Village limits should be sufficient to meet land needs to the year 2020.

### **C. Land Trends in Values**

Table 8.2 below describes the increase 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, Village of Nelsonville**

Type of Property	1980		1990		2000	
	1980	% of Total	Value	% of Total	Value	% of Total
Residential	\$1,748,000	63%	\$2,412,000	70%	\$4,983,000	67%
Commercial	\$277,000	10%	\$294,000	9%	\$659,000	9%
Manufacturing	\$25,000	1%	\$86,000	3%	\$595,000	8%
Agricultural	\$517,000	19%	\$574,000	17%	\$88,000	1%
Swamp and Waste	\$0	0%	\$0	0%	\$10,000	0%
Forest	\$0	0%	\$0	0%	\$215,000	3%
Other	\$0	0%	\$0	0%	\$519,000	7%
Personal Property	\$195,000	7%	\$64,000	2%	\$318,000	4%
Total Value	\$2,762,000	100%	\$3,430,000	100%	\$7,387,000	100%

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

## **Section 8.3 Land Use Conflicts, Issues, and Conclusions**

### **A. Existing land use conflicts**

The Village has no conflicts between existing land uses.

### **B. Potential land use conflicts**

The Village does not see any potential conflicts within land use.

### **C. Land Use Issues and Conclusions**

The Village is pleased with the current conditions.

## **Section 8.4 Land Use Goals, Objectives and Policies**

### **A. Goals**

1. Provide a balance of land uses to serve existing and future residents of the Village.

### **B. Objectives**

1. Seek to maintain the desirable rural/small-town characteristics of the Village, while allowing for growth of the community.
2. Encourage safe and attractive development; ensure that the development site is physically suited to the proposed use (e.g. soils suitable for on-site waste disposal); apply sound design and landscape principles in the planning, layout and construction of new development.
3. Ensure that proposed uses are reasonably compatible with surrounding uses; give consideration to the opinions of neighboring landowners and interests of the Village in general.
4. Avoid leapfrog or sprawled development patterns in order to minimize public service costs.
5. Maintain the current ratio of commercial and residential land uses.

### **C. Policies**

1. Support land uses that primarily serve local community needs.

## **Section 8.5 Future Land Use Recommendations**

Table 8.3 below and Map 8.2 illustrate the Future Land Use recommendations of the Village of Nelsonville Comprehensive Plan, and identifies how development should proceed in the future to meet the Village's goal of encouraging a pattern of community growth and development that will provide a quality living environment.

**Table 8.3: Future Land Use in the Village of Nelsonville, 2020**

Existing Land Use	2004 Acres	Percentage	2020 Acres	Percentage	Change 2004 to 2020	Change in 5-year Increments
Single Family	54.9	8.1%	233.8	34.6%	178.9	59.6 ac.
Multiple (2-4 plex)	0.3	0.04%	-	-		
Existing Residential	-	-	37.2	5.5%		
Commercial	9.8	1.5%	23.0	3.4%	13.2	4.4 ac.
Industrial	0	0%	0	0%	0	
Institutional	2.0	0.3%	2.0	0.3%	0	
Outdoor / Park	2.3	0.3%	2.3	0.3%	0	
Agricultural	326.8	48.4%	159.5	23.6%	-167.3	-55.8 ac.
Natural Areas	172.7	25.6%	172.7	25.6%	0	
Right-of-way	44.8	6.6%	44.8	6.6%	0	
Gravel Pit	0.2	0.03%	0.2	0.03%	0	
Vacant	61.7	9.1%	0	0%	-61.7	-20.6 ac.
<b>Total</b>	<b>675.5</b>		<b>675.5</b>			

Source: Village of Nelsonville and Portage County Planning and Zoning Department.

Map 8.2: Future Land Use

Future development should be encouraged in an orderly pattern adjacent to and compatible with existing development, while preserving the natural features that make the Village of Nelsonville unique. The area in the future land use map is not a build out map but it is simply a list of appropriate land uses across the Village. The Village strives to protect its environmental resources as pressures to develop wooded, shore lands, hilltop vistas and other unique natural areas for urban use increase. Development should be prohibited in floodplains and wetlands, should not disrupt natural drainage courses, and should be compatible with soil conditions.

Land Use recommendations include both immediate and long range planning recommendations to be implemented. The long range Land Use Plan recommendations are not considered to be inconsistent or in conflict with the Village's existing zoning map because they will be implemented over the course of the planning period as development proposals and land use changes are presented to the Village for consideration.

#### A. Existing Residential

This category was created to include the majority of the older residential structures in the Village, especially those on smaller lots. This category is intended to allow those uses currently existing today to continue to exist into the future and not create further non-conforming uses. This category is not meant to constrain existing uses except that they remain residential. Detailed regulations, along with issues related to non-conformity, will be dealt with in the Nelsonville Zoning Ordinance.

#### B. Single Family Residential

Lands within this category are intended for new single family residential construction. The minimum density for development within this district shall be 1.5 acres per housing unit. It is the intention of the Village to modify the Zoning Ordinance regulations related to residential uses to allow for a density based zoning option. This would allow for minimum lot size of  $\frac{3}{4}$  acre, but require that a portion of the parcel remain undeveloped to maintain an overall density of 1.5 acres per housing unit.

#### C. Commercial

Lands designated for future commercial in the Village are intended for such uses as retail, office, light manufacturing and other uses associated with low intensity commercial activities.

#### D. Agriculture

The agriculture future land use designation is intended to accommodate farming and related activities, wooded and idle lands, and low density residential (minimum density of 5 acres per single family unit) in appropriate locations.

The density option, allowing for smaller lots (minimum  $\frac{3}{4}$  acre) at a 5 acre density, should also be available for the agriculture zoning district to allow for the continuation of agricultural uses, while promoting residential development in appropriate locations.

#### E. Natural Areas

Lands designated as natural areas include DNR regulated wetlands, and floodplains designated by FEMA. These areas are not intended for development; however, certain uses (such as recreational uses) may be appropriate.

#### F. Institutional

Land designated for future institutional use will include uses similar to those identified in 2004 (church, public buildings, public lands, etc.).

### **Section 8.6 Redevelopment and New Development Opportunities**

#### A. Redevelopment Areas

There are some areas in the Village that could use some updating, but no large tracts; these areas are more likely to have rehab verses razed or rebuilt.

#### B. Development Areas

##### 1. Residential

Residential development, single family residential with a minimum lot density of 1 housing unit per 1.5 acres and a minimum lot size of  $\frac{3}{4}$  acres, has been designated to the northeast of Oak Street and on the south side of county SS along with other areas designated on Map 8.2.

Traditional subdivisions of land which would have a 1.5 acre minimum lot size could still be done but the option is available to reduce lot sizes down to  $\frac{3}{4}$  acre in order to maintain certain areas in their natural state. The Village does have large percentage of its land covered by forests, something which is viewed by the Village as a valuable resource and would like to see maintained as much as possible. Some areas of the Village are contained within DNR regulated wetlands and other areas have steep slopes; development in these areas should be discouraged. Offering the possibility of a smaller lot size may provide another development option for this type of property.

The reason for requiring a 1.5 acre density is to alleviate groundwater contamination from concentrated residential development. However, careful consideration should be taken when siting individual septic systems on smaller lot sizes, such as  $\frac{3}{4}$  acre, so that drain fields are not upgradient to adjacent wells; thereby contaminating neighboring drinking water supplies.

If a density option is used for a subdivision, Village officials will need to make policy decisions regarding any outlots created by the subdivision and who will be responsible for maintaining the property; whether it be the Village, the developer, individual adjacent property owner, or homeowners association. One of the benefits of a density option is the potential for public green space or parkland being deeded over to the Village. However, too many small neighborhood park spaces can be expensive for a Village to maintain and may not be functional for the majority of Village residents. Careful planning should be done to consolidate any open spaces created and maintain connections with other recreational lands to maximize the benefit of such a development option.

## 2. Commercial

Potential development areas for Commercial (retail, office, and light manufacturing) consists of the area east of Signature Press and west of the Tomorrow River and acreage along new Highway 161 and Cty Rd Q intersection (see map 8.2).

The Plan Commission has newly designated land as commercial in the northern part of the Village. This area was designated as commercial in anticipation of the Highway 10 bypass and the rerouting of Highway 161 along the northern border of the Village of Nelsonville rather than through it. Highway commercial activities such as a gas station or convenience store would be the most likely activities in this area. The amount of land is not the important factor in this land use designation. Instead, it is simply important to note that some sort of commercial use would be appropriate along this important transportation node, whether it be 1 acre or 10 acres.

Also noteworthy is the small commercial parcel on the corner of Cty Rd SS and First Street in the west-central part of the Village. The current use is both residential and commercial. The designation of commercial for the future land use is intended to allow for the continuation of this mixed use.

### **Section 8.7 Extraterritorial Area**

State Statutes allow communities (a City or Village less than 10,000 population has the opportunity to include in their planning efforts the area of land 1½ miles beyond their existing corporate limits) to identify extraterritorial boundaries in order to implement zoning [s.62.23 (7a)], control offensive industry (s.66.052), regulate smoke emissions (s. 146.10) and review plats (s.236.10). The Village of Nelsonville currently does not utilize these powers granted by State Statutes (ss.66.32, 236.10) to identify extraterritorial boundaries for the purpose of plat review. The statutes specify that the extraterritorial planning area extends 1½ miles beyond municipal limits and may not cross the corporate limits of another city or village. When extraterritorial areas overlap, the overlapping area must be divided on a line equidistant from the boundaries of each municipality concerned, so that only one municipality can exercise extraterritorial powers over one area. It was necessary to modify Nelsonville's extraterritorial area in order to avoid overlapping the extraterritorial areas of Amherst and Amherst Junction. The Village of Nelsonville's extraterritorial area is shown in Map 8.3.

The Village of Nelsonville has a large amount of vacant land within its current (2004) corporate boundary, and it is anticipated that the growth/development for this planning period will occur inside that boundary. While that may be the case, the Nelsonville Plan Commission still must examine the extraterritorial area for any potential for development conflicts. The Nelsonville Plan Commission and Village Board feel that the appropriate approach to extraterritorial planning is to work with the surrounding municipalities (Town of Amherst and New Hope, Villages of Amherst and Amherst Junction). Nelsonville has met with these communities, and will continue to meet periodically to discuss ideas on future land use and other issues of mutual interest or concern.

Map 8.3 Extraterritorial Area