

CHAPTER 8 Land Use Element

66.1001(2)(h) Wis. Statutes

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 follow the other chapters of the Comprehensive Plan.

Section 8.1 Existing Land Use

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

Table 8.1: Town of Sharon Existing Land Use, 2004

Existing Land Use Category	Acres	Percentage
Residential Land Use	1,782.00	4.26%
Agricultural Land Use	12,116.63	29.05%
Commercial Land Use	36.58	0.09%
Manufacturing & Industrial	33.79	0.08%
Undeveloped	26,671.75	63.95%
Government & Institutional Use	46.44	0.11%
Transportation Road R.O.W	949.43	2.29%
Other	70.21	0.17%
TOTAL	41,706.83	100.00%

Source: Town of Sharon and Portage County Planning and Zoning Department Aerial Photos of 2000

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. These categories comprise approximately 735 permits by issued fire numbers as of fall of 2004. Concentrations of residences are found in and around the Ellis and Polonia areas and Lake Jacqueline 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 neighborhood area (Polonia 250 acres, Lake Jacqueline 50 acres, Collins Lake 12 acres). Adjustments to aerial photo numbers of 2000 for residential use were taken 2/3 out of Agriculture and 1/3 out of Undeveloped. As of December 2004, 1,782.00 acres or 4.26% of the Town's land area, were devoted to residential land use.

B. Commercial/Industrial Land Use

There are currently 36.58 acres or 0.09% of lands classified as various types of commercial districts located primarily in the Ellis and Polonia areas; also 33.79 acres or 0.08% of land classified as industrial (manufacturing) districts in Ellis, north on CTH Y, and on CTH CC.

TABLE 8.2: Town of Sharon Existing Land Use, 2004 (In Detail)

Residential Land Use	Acres
Residential	1,679.20
Farmsteads	<u>102.80</u>
TOTAL	1,782.00
Agricultural Land Use	
Permanent Pasture	216.46
ROW Crop or Grain Storage Facility	28.64
Non-Irrigated Cropland	8,266.16
Irrigated Cropland	3,495.71
Confined Animal Operation	<u>109.66</u>
TOTAL	12,116.63
Commercial Land Use	
Commercial & Services TOTAL	36.58
Manufacturing & Industrial	
Manufacturing & Raw Material Processing TOTAL	33.79
Undeveloped	
Forested	17,542.52
Coniferous Forestland Plantation	1,780.61
Herbaceous Cover & Shrub Land	6,829.09
Water Bodies	<u>519.53</u>
TOTAL	26,671.75
Government & Institutional Use	
Institutional TOTAL	46.44
Transportation Road ROW (Right of Way)	
Transportation TOTAL	949.43
Other	
Mining & Resource Extraction	9.82
Mixed Urban or Developed Land	3.72
Unknown Use, Unused, Unmodified Land	55.89
Communication & Utilities	<u>.78</u>
TOTAL	70.21
TOTAL	<u>41,706.83</u>

Source: Town of Sharon and Portage County Planning & Zoning Department Aerial Photos of 2000

C. Agricultural Land Use

Lands in this category represent the predominant land use in the Town. Approximately 12,116.63 of the total acreage or 29.05% for the Town of Sharon 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 is not limited to, existing municipal and government owned structures, churches, cemeteries, public schools and other educational facilities. These lands make up only 0.11% of the total Town acreage.

E. Road Right-of-Way

This land use category, which occupies 2.29% 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 949.43 acres.

F. 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 this land is owned by the State of Wisconsin, and is associated with the Tomorrow River corridor and around portions of Becker Lake owned by Portage County.

G. Undeveloped

As of December 2004, lands in this category made up the largest area of the Town, accounting for 26,671.75, or approximately 63.95% of the total area. Vacant land, 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 associated with wetlands and along rolling hills and lakes.

Section 8.2 Land Use Trend Analysis and Projected Land Use

The Town of Sharon is a rural community that boasts a significant transportation corridor centrally located that dissects the Town both north and south, and east and west. There are two commercial centers in the Town located in Ellis and Polonia with scattered commercial development throughout the Town. By 2025 the Town's Population is Projected to increase by 356 Individuals; therefore, future development will likely include a mix of residential, low density, non-farm, rural, and residential uses.

A. Residential Land Use

The Town's population has risen slowly, going from 1,694 in 1980 to 2,071 in 2005 residents over the last twenty-five (25) years. The Town of Sharon 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 the recent upgrade of US Highway 10 (just southwest of the Sharon boundary) to a four-lane facility and the new development on the CTH HH/I-39 interchange plus general growth of the Plover/Stevens Point area 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, the Town recommends housing densities that have minimal impact on groundwater quality and other natural resources, as well as remaining agricultural operations. If residential land use projections were based on past permit activity (average of 18.5 single family permits over the three-year period of 2000 to 2002) and assume a lot size of two (2) acres per housing unit, 740 acres would be needed to accommodate new growth over a 20-year period. If population and household size projections were used (153 new housing units; bases on year 2000 occupied housing units), along with the same lot size assumption (2 acres), 306 acres would be needed for future residential use.

B. Agricultural Land Use

Sharon 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 areas.

Acreage in the Town of Sharon devoted to agricultural land uses is projected to decrease during this planning horizon due to an aging agricultural work force and an increase in development pressure for residential use. (However, new technologies for alternate energies may provide future farming opportunities).

C. Commercial Land Use

A detailed listing of commercial activity and business type in the Town of Sharon is located in Chapter 6 (Economic Development) of this plan. The needs and requests for commercial of all types are expected to continue and increase in the town. Some contributing factors are expanding residential development, easy access to larger population centers such as Stevens Point, Plover, & Rosholt, and a highway system that dissects the Town both north and south (CTH J & Y) and east and west (STH 66). These highways have significant volumes of traffic.

D. Trends in Land Values

Table 8.3 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 8.3 Equalized Assessed Property Values, Town of Sharon

Type of Property	1984		1994		2004	
	Value	%/Total	Value	%/Total	Value	%/Total
Residential	16,646,850	33.60%	33,304,600	54.60%	70,045,000	73.50%
Commercial	2,133,150	4.30%	1,993,900	3.00%	2,806,700	3.00%
Manufacturing	295,600	.60%	416,200	.70%		
Agricultural	22,447,350	45.20%	17,519,400	29.00%	3,274,660	3.40%
Undeveloped	575,400	1.20%	448,900	.70%	570,800	.60%
Forest	7,112,300	14.30%	6,172,100	10.00%	9,654,400	10.10%
Other					8,583,200	9.00%
Personal Property	394,570	.80%	312,100	2.00%	394,200	.40%
TOTAL	49,605,220	100.00%	60,167,200	100.00%	95,328,960	100.00%

Source: Wisconsin Department of Revenue

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)

E. Redevelopment Areas

Sites identified for potential redevelopment include structures previously used as potato storage. Locations of these sites are: north on CTH Y and Bentley Road; in the east part of town at the STH 66 and CTH I intersection; and an industrial site which housed a large potato packing facility that burned in Ellis.

Section 8.3 Land Use Conflicts

The primary land use conflict identified by the Town of Sharon 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 support the Wisconsin Right to Farm law that would protect the farmer’s right to farm by not restricting normal farming practices. To recommend residential building away from intensive agricultural areas and encourage the use of spatial and/or vegetative buffers. This information could then be available to new residents as they move into the area.

Another potential conflict was between residences and future non-metallic mining operations. The type of operation, volume of truck traffic, noise, and dust generated from trucks and operations, hours of operation, vibration and potential affect on water quality need to be evaluated when considering these operations. Siting non-metallic mining operations away from residential homes and keeping any new residential building away from non-metallic mining would help avoid this conflict. (See also Chapter 2 Housing, Sec 2.3 & 2.4: Chapter 3 Transportation, Sec 3.3 & 3.4: Chapter 5 Natural Resources, Sec 5.5 G: and Chapter 8 Land Use Sec 8.3)

Section 8.4 Land Use Goals, Objectives and Policies

Goal 1: Preserve and protect the farmer’s right to farm and agricultural areas.

Objectives:

- Consider designing an ordinance that protects agriculture areas from urban restrictions. Review and adhere to the Town of Sharon Subdivision Ordinance that will help to protect productive agricultural areas.
- Have any such ordinances available for new residents to inform them of the farmer’s right to farm.

Policies

- Encourage use of buffers between Agricultural and Residential uses.
- 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 generally not be considered a nuisance.
- Inconveniences, such as equipment traveling on roads, shall generally not be considered a nuisance.

- Recommend new non-farm residences be built at least 100 feet from agricultural areas due to dust, noise, spreading of animal waste or sludge, aerial or ground spraying, irrigation, etc.

Goal 2: Protect natural resources in the town.

Objectives:

- Encourage the proper management of natural resources.
- Protect the quality of the ground water which supplies drinking water to the Town of Sharon and surrounding areas.

Policies:

- Use Conservancy Zoning to protect wetlands.
- Encourage the use of conservation easements in appropriate areas.
- Development along waterways in the town should protect the quality and aesthetic value of the water resources and associated corridors.
- Recommend use of best management farming and residential practices to protect groundwater.

Goal 3: Maintain the Town’s rural character.

Objectives:

- Support agriculture and the farmer’s right to farm.
- Encourage the use of Open Space Design in the Subdivision Ordinance.
- Direct residential growth within the Town.

Policies:

- Groundwater quality, traffic and transportation infrastructure, loss of rural character, and protection of open space are taken into consideration when recommending housing density.
- Encourage the use of buffers around residential areas to avoid conflict with farms, non-metallic mineral extraction, and sensitive areas.
- Direct non-farm residential development away from productive agricultural areas.

Goal 4: Maintain an adequate road system in the Town.

Objectives:

- Keep town roads in repair.
- Site new roads as necessary.

Policies

- Develop process of determining need and prioritization of road maintenance.
- Identify proposed road corridors on Town map.
- Utilize Town Road Ordinance.

Goal 5: Maintain a balance between the public interest and private property rights.

Objective: Encourage public participation in Town government.

Policies

- Maintain open communication with Town residents and landowners.

- Maintain ongoing communication with the Portage County Planning and Zoning Department regarding one landowner infringing on the rights of a neighboring landowner. Examples: control of unlicensed vehicles and the accumulation of visibly excessive “junk” on private property.
- Monitor existing salvage yards.

Section 8.5 Future Land Use Recommendations

Table 8.4 and **Map #043A, 043B, 043C**, illustrate the Future Land Use recommendations for the Town of Sharon 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 for a prosperous agricultural community and quality living environment, preserve rural character, and protect natural resources. Future development and redevelopment should be encouraged and would be compatible with existing development.

Table 8.4: Future Land Use in the Town of Sharon, 2025

Future Land Use	2004 Acres	% of total	2010 Acres	2015 Acres	2020 Acres	2025 Acres	% of total	Change 2002 to 2025
Residential Land Use	1782.00	4.26%	1950.75	2119.50	2288.25	2457.00	5.89%	675
Agricultural Land Use	12116.63	29.05%	11837.38	11558.13	11278.88	10999.63	26.37%	-1117
Commercial Land Use	36.58	0.09%	51.58	66.58	81.59	96.58	0.23%	60
Manufacturing & Industrial	33.79	0.08%	33.79	33.79	33.79	33.79	0.08%	0
Undeveloped	26671.75	63.95%	26764.25	26856.75	26949.25	27041.75	64.83%	+370
Government/ Institutional	46.44	0.11%	46.44	46.44	46.44	46.44	0.11%	0
Transportation Road ROW	949.43	2.29%	952.43	955.43	958.43	961.43	2.30%	12
Other	70.21	0.17%	70.21	70.21	70.21	70.21	0.17%	0
TOTAL	41706.83	100.00%	41706.83	41706.83	41706.83	41706.83	100.00%	

Source: Town of Sharon and Portage County Planning and Zoning Department Arial Photos of 2000

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.

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 a village is one and one-half miles from their corporate boundaries.

Section 8.7 Future Land Use Categories

Categorizing the many acres of land in the Town into different land use classes is a time-consuming task. In order to ensure accuracy and consistency throughout the mapping process, specific mapping criteria was utilized.

Residential Mapping Criteria

The term “residential” is intended to identify subdivisions or clusters of lots where it was the original intent of the developer/residents to maintain a residential neighborhood character where nonresidential uses would be incompatible. Proposals for new residential development shall be considered on a case-by-case basis at the request of the landowner. Approval for such use may require a change to the land use map. The following areas were mapped:

1. Existing residential and recreational zoning.
2. Subdivision or 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. Areas for expansion of residential development based on goals and policies in this plan. Current nonresidential uses would be allowed until future residential development occurs.

Land Use Categories:

Residential: Existing concentrations of lots of record smaller than 2 acres are also to be included in this category outside the Polonia Area and may include uses such as single family, duplexes and multi-unit dwellings. These uses may be treated as special exceptions to the Portage County Zoning ordinance.

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. Therefore, in the Town of Sharon, proposals for new industrial and commercial development shall be considered on a case-by-case basis at the request of the landowner. All such requests must be considered by the Town Planning Commission, the Town Board, and the County based on the goals, objectives, and policies of the Town’s Comprehensive Plan. 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 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.

Agricultural Mapping Criteria

Lands recommended predominantly for the continuation of agricultural pursuits in the 1991 Land Use Plan for the Town of Sharon were reviewed and determinations made to aid in land use and zoning decisions. However lands which were Zoned A-1 exclusive agriculture previously to merely qualify landowners participation in the state of Wisconsin farmland preservation program were left unchanged.

The following Land Use Categories of agriculture were used based on the intensity of the agricultural operations in a particular area:

L-2 General Agriculture.

This category is intended to preserve and enhance land for a wide range of agricultural uses. This category's regulations are designed to encourage agricultural uses in areas where soils and other conditions are best suited to those agricultural pursuits and control residential development to avoid potential conflict with agricultural use.

New residential development adjacent to more intensive agricultural uses, i.e. medium to large dairies, large confined livestock feeding operations, concentrations of irrigated vegetable crop production, will have to consider several development techniques: off-set development, open space development, density-based development, 100 foot set-backs for housing, or buffer areas. These requirements will be imposed upon developers through review and recommendation by the Town Planning Commission to the Town Board for implementation.

Appropriate housing densities for lands in this category not zoned Exclusive Agriculture, are to be twenty (20) acres (A20), ten (10) acres (A2), five (5) acres (A3). This category's uses and development regulations are designed to implement the Comprehensive Plan goals by discouraging urban and suburban development in areas that are suited to agricultural use and that are not well served by public facilities and services. Some two (2) acre and three (3) lots will be allowed under the Town of Sharon's Lot Averaging subdivision option (with administration by Portage County) in zoning categories A20, A2, and A3.

L-3 Agriculture/Mixed Use

This category is intended to provide for the continuation of low-intensity agricultural uses, recommends against the siting of new and expanding livestock operations and large dairies, provides 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 between higher density residential or other uses.

New residential development adjacent to more intensive agricultural uses, i.e. medium to large dairies, large confined livestock feeding operations, concentrations of irrigated vegetable crop production, will have to consider several development techniques: off-set development, open space development, density-based development, 100 foot set-backs for housing, or buffer areas. These requirements will be imposed upon developers through review and recommendation by the Town Planning Commission to the Town of Sharon Board for implementation.

Appropriate housing densities for lands in this category are to be twenty (20) acres (A20), ten (10) acres (A2), five (5) acres (A3), and two (2) acres (A4). This category's uses and development regulations are designed to implement the Comprehensive Plan goals by

discouraging urban and suburban development in areas that are suited to agricultural use and that are not well served by public facilities and services. In addition, new residential development proposals involving five (5) or more lots shall be submitted to the Town Plan Commission and Board (in addition to the County) for review and, if approved, may be rezoned. Some two (2) and three (3) acre lots will be allowed under the Town of Sharon's Lot Averaging subdivision option (with administration by Portage County) in zoning categories A20, A2, and A3.

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 will be applied to lands that are environmentally important or sensitive, including shorelands, 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.
2. Other wetlands (not adjoining navigable waters.)
3. Federal Emergency Management Agency (FEMA) 100-year floodplains. Pre-existing cropland that would be nonconforming under Conservancy Zoning is to be excluded.
4. Publicly owned lands used for recreation or wildlife/resource management.
5. Other natural features of the landscape deemed important by the local community.
6. Steep slopes > 12%
7. Groundwater and surface watersheds and water quality.

Land Use Categories

Natural Areas 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 for destroying or degrading important or unique natural resources or due to the excessive measures necessary to overcome development barriers presented by the environmental conditions. Criteria for this category include Natural Area Mapping Criteria #1-6. In addition to areas mapped as Natural Areas Protected, natural areas will also be protected through the use of a Natural Areas Limited Development Overlay District.

Natural Areas Limited Development Overlay District

Identifies lands that are environmentally important to the community, as well as areas surrounding lakes that are identified by the Portage County Lake Study of 2004. These areas are defined by the groundwater and surface watersheds (Natural Areas Mapping Criterion #7) listed in the UWSP Lakes of Portage County Studies. These lakes are individualized based on the intensity of development. Lakes with minimal development shall carry a minimum lot size based on the underlying zoning or ten (10) acres in the ground watershed and five (5) acres in surface watershed, whichever is more restrictive. Lakes with more intensive development shall carry a minimum lot size based on the underlying zoning or five (5) acres in both surface and ground watersheds, whichever is more restricted. Lot Averaging may be

used in these zoning districts. Other lands not already identified in this category may require a future overlay district. Limited residential development as well as small-scale agricultural practices could occur without negatively impacting the ecological value of the area. Where boundaries of this area come into question and a change can be supported by scientific and/or factual data provided by the landowner, the Town of Sharon Plan Commission and the Town of Sharon Board may consider an adjustment to said boundary. These changes will require a Plan Amendment because it is a change to the Comprehensive Plan mapping.

Institutional Mapping Criteria

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

Resource Extraction Mapping Criteria

These areas are considered economically viable resources including clay, sand, gravel and other aggregate for possible extraction. However, the Town is not mapping these resources at the present time. It is important when siting resource extraction operations to minimize or avoid conflict with other adjacent land uses (see Chapter 2 Housing, Sec 2.3 & 2.4; Chapter 3 Transportation, Sec 3.4 and 3.5; and Chapter 8, Land Use sec 8.3).

Land Use Category Non-metallic Mineral Extraction

Lands containing clay, sand, gravel and other aggregates. Extraction should be directed away from residential buildings and protected natural areas and on roads that can handle the weight and volume of traffic.

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