

SEWRPC Community Assistance Planning Report No. 292
A COMPREHENSIVE PLAN FOR THE TOWN OF FARMINGTON: 2035

Chapter VI

LAND USE ELEMENT

INTRODUCTION

The land use element is one of the nine elements of a comprehensive plan required by Section 66.1001 of the *Wisconsin Statutes*. Section 66.1001(2)(h) of the *Statutes* requires this element to compile goals, objectives, policies, programs, and maps to guide future development and redevelopment of public and private property. The *Statutes* also require this element to include:

- Information regarding the amount, type, and intensity or density of existing land uses
- Land use trends
- Potential land use conflicts
- Projected land use needs in five year increments to the plan design year (2035)
- Maps showing existing and future land uses; productive agricultural soils; natural limitations to building site development; floodplains, wetlands, and other environmentally sensitive lands; and boundaries of areas to which public utility and community services will be provided by the plan design year

In addition, the 14 State of Wisconsin comprehensive planning goals, which are related to each of the nine comprehensive plan elements, set forth in Section 16.965 of the *Statutes* must be addressed as part of the Town comprehensive planning process.¹ The Land Use Element relates to each of the other comprehensive plan elements, and therefore relates to all 14 State comprehensive planning goals. Goals that are most directly related to the Land Use Element include:

- Promotion of the redevelopment of land with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial, and industrial structures.
- Protection of natural areas, including wetlands, wildlife habitats, lakes, woodlands, open spaces, and groundwater resources.
- Protection of economically productive areas, including farmland and forests.
- Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, State government, and utility costs.
- Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial, and industrial uses.
- Balancing property rights with community interests and goals.
- Planning and development of land uses that create or preserve varied and unique urban and rural communities.

Section 16.965 also requires the identification of “Smart Growth Areas” in County and local plans. A “Smart Growth Area” is defined by the *Statutes* as “an area that will enable the development and redevelopment of lands with existing infrastructure and municipal, State, and utility services, where practicable, or that will encourage

¹ Chapter I lists all 14 comprehensive planning goals included in Section 16.965 of the *Statutes*.

efficient development patterns that are both contiguous to existing development and at densities which have relatively low municipal, state governmental, and utility costs.”

All of the information required by the comprehensive planning law is provided in this chapter.

PART 1: EXISTING LAND USE CONDITIONS AND TRENDS

Land Use Trends

The Southeastern Wisconsin Regional Planning Commission (SEWRPC) periodically conducts a detailed land use inventory of the seven-county Region to inventory and monitor urban growth and development occurring over time. The land use inventory places all land and water areas into one of 66 land use categories. The most current detailed land use inventory was conducted in 2000. Based on that inventory, urban land uses, including residential, commercial, industrial, governmental and institutional, recreational, and transportation, communication, and utility uses, encompassed about 2,634 acres, or about 11 percent of the Town. Nonurban land uses, consisting of agricultural lands; natural resource areas, including surface waters, wetlands, and woodlands; extractive sites; and unused land, encompassed about 20,908 acres, or about 89 percent of the Town. A significant portion of the Town (about 60 percent) was encompassed within agricultural lands.

The number of acres in various land use categories in the Town of Farmington in 1980, 1990, and 2000 is shown on Table VI-1. Table VI-1 also includes the acreage and percentage changes in each land use category between 1980 and 2000, and for intervening time periods.

Between 1980 and 2000, the amount of land used for urban uses, including residential, commercial, industrial, and transportation uses, increased by about 1,046 acres, from about 1,588 acres to about 2,634 acres, or about 66 percent. The amount of land used for residential, commercial, and industrial purposes increased by about 43 percent during this time period. Most of the increase was due to single-family residential development, which increased by 825 acres, or about 120 percent, between 1980 and 2000.

The percentage of land classified as “nonurban” decreased by about 5 percent between 1980 and 2000. Much of the land developed for urban uses between 1980 and 2000 was converted from agricultural to urban use. The amount of land used for agriculture decreased by about 2,026 acres, or by about 13 percent. The number of acres in the “open lands” category, that is, lands that are vacant and apparently unused, increased by about 734 acres during the 1980 to 2000 period. Much of the increase in the “open lands” category is likely due to land being taken out of agriculture. The acreage of woodlands, wetlands, surface waters increased by about 4 percent between 1980 and 2000, due primarily to an increase in wooded areas.

Urban land uses in the Town are generally located in and near “hamlets” within the Town. Hamlets are unincorporated areas with compact development, predominantly residential, but also typically including limited commercial and/or institutional uses such as churches, fire stations, and small businesses. Most hamlets in the Town and the remainder of Washington County were first settled in the 1800’s or early 1900’s. Hamlets within the Town of Farmington are shown on Map VI-1 and include Boltonville, Fillmore, and St. Michaels. The hamlet of St. Michaels extends into the Town of Kewaskum.

Land Price

Equalized value trends by real estate class in the Town in 2003 and 2007 are set forth in Table VI-2. Residential properties experienced the greatest increase in equalized value, with an increase of 49 percent. Agricultural and commercial properties also experienced increases over the same period. The equalized value of manufacturing, undeveloped lands, forest lands, and lands categorized as “other” decreased. The Town experienced an overall increase in equalized value of about 42 percent between 2003 and 2007, compared to a 40 percent increase in Washington County over the same period.

Existing Land Uses in 2008

The Town of Farmington, through its comprehensive plan, must look ahead at least twenty years to ensure adequate supplies of land for urban and nonurban land uses. To ensure that future planning reflects land use development that has occurred to date, the 2000 land use inventory was updated to 2008, based on the 2005 aerial photographs produced by SEWRPC, the record of subdivision and condominium plats maintained by Washington County, field checks, and consultation with Town officials. Major development in the Town between 2000 and 2008 included:

- Krystal Heights single-family residential subdivision in the eastern portion of the Town, southwest of the CTH H and CTH M intersection, with 24 lots on about 49 acres.
- The adjacent Overlook Estates single-family residential subdivision with 17 lots on about 21 acres.
- A 12-lot land division created by Certified Survey Map (CSM) in Section 35 (Stonefield Court) on about 100 acres.

Map VI-2 shows generalized land uses in the Town in mid-2008. Acres within each land use category are shown on Table VI-3.

The generalized land use map differs somewhat from the more precise 2000 land use inventory map (Map V-5 in Chapter V). Undeveloped portions of lots less than five acres were designated with the primary use of the lot, except where a portion of a lot was used for residential or another urban use and the remaining portion was used for agriculture. In such cases, both the urban use and the agricultural use were mapped. The number of acres in the single-family residential category was significantly higher in 2008 than in 2000, due primarily to the entire lot area of lots less than five acres with a home, and no portion of the lot used for agriculture, being included in residential land use category. Previously, portions of such lots that were not developed with a home, driveway, or accessory buildings (such as sheds) or used for agriculture were included in the “open lands” category. Some of the increase in the area devoted to commercial, industrial, and governmental and institutional uses between 2000 and 2008 is also attributable to areas on such lots that were categorized as “open lands” in the 2000 and earlier land use inventories being identified as commercial, industrial, or governmental and institutional lands in the 2008 land use update.

Urban Land Uses

Urban land uses within the Town in 2008 included residential, commercial, industrial, governmental and institutional, recreational, and transportation, communication, and utility uses. Urban land uses encompassed 3,740 acres, or about 16 percent of the Town, in 2008.

Residential

Residential land comprised the largest urban land use category in the Town in 2008. Residential uses encompassed 2,398 acres, or about 63 percent of all urban land and about 10 percent of the Town. Almost all residential development in the Town consisted of single-family homes, including farm houses and a mobile home located east of Orchard Valley Road just south of CTH X. The Town also included one multi-family dwelling located at the southwest corner of the CTH DD and Scenic Drive intersection in the hamlet of Boltonville.

Commercial

In 2008, commercial land encompassed 20 acres, or less than 1 percent of the Town. Commercial uses included a sign company, a feed mill, a gas station, a small restaurant, taverns, auto repair shops, and an auto sales and repair business.

Industrial

In 2008, industrial land encompassed 29 acres, or less than 1 percent of the Town. The majority of industrial land uses were located along STH 144 at the northern edge of the Town. Industrial uses included an auto recycling business, an auto salvage business, an awning and patio business, and storage facilities.

Transportation, Communication, and Utilities

This category includes arterial streets and highways, collector and minor (land access) streets, other transportation-related uses, and communication and utility facilities. In 2008, these uses encompassed 864 acres, or about 4 percent of the Town. Arterial highways serving the Town include STH 144, STH 28, CTH A, CTH H, CTH X, CTH DD, CTH M, and Newark Drive. Arterial street rights-of-way encompassed 280 acres and nonarterial street rights-of-way encompassed 581 acres. A description of highway and street classifications is provided in the Transportation Element (Chapter VIII).

Land in the communication facilities, utilities, and other transportation category included a bus storage area located on CTH M north of CTH H in the hamlet of Fillmore, two cell tower sites (see Table IX-1 in Chapter IX), and a gas pipeline substation. Altogether, these four sites encompassed three acres, or less than 1 percent of the Town.

Governmental and Institutional

In 2008, land used for government and institutional uses encompassed 67 acres, or less than 1 percent of the Town. Governmental and institutional uses include the Town Hall, Farmington Elementary School, two volunteer fire departments (in the hamlets of Boltonville and Fillmore), historic Fillmore Turner Hall, two parish churches, a parish church and school, three historic churches, and seven cemeteries. Two of the cemeteries are located next to a church (St. John of God Catholic Cemetery and St. Peter Catholic Cemetery). Information about these community facilities is presented in Chapter IX.

Recreational

In 2008, intensively used recreational land encompassed 362 acres, or about 2 percent of the Town. Intensive recreational land includes only those parks or portions of parks that have been developed with buildings or facilities such as campgrounds, playgrounds, beaches, boat ramps, and playfields. There were ten intensively used recreational sites in the Town consisting of Camp Awana, the Boltonville Sportsmen's Club, the Fillmore Sportsmen's Club, Fireman's Park, Lakehaven Subdivision Beach and Park, Lazy Days Campground, Stoneridge Golf Course, Turner Park, a Town-owned boat access site located on Green Lake, and a portion of the County-owned Leonard J. Yahr Park. Undeveloped or nature-based parks included the Shalom Wildlife Sanctuary and Wildlife, Inc. properties, Lizard Mound Park, lands acquired as part of the Wisconsin Department of Natural Resources (DNR) North Branch Milwaukee River Wildlife and Farming Heritage Area, the Star Valley West Subdivision Park, and portions of the actively-used parks listed above. A complete inventory of park and open space sites in the Town is included in Chapter V.

Nonurban Land Uses

Nonurban land uses consist of agricultural lands; natural resource areas, including surface waters, wetlands, and woodlands; extractive sites and landfills; and unused land. As indicated on Map VI-2 and Table VI-3, nonurban land uses encompassed 19,802 acres, or about 84 percent of the Town, in 2008. Significant portions of the Town were used for agricultural purposes (about 56 percent) and encompassed within woodlands and wetlands (an additional 23 percent).

Agricultural Lands

Agriculture was the predominant land use in the Town in 2008. Agricultural lands encompassed 13,288 acres, or about 56 percent of the Town. Agricultural lands include all croplands, pasture lands, and farm buildings. A more detailed inventory of agricultural land in the Town is included in Chapter V.

Natural Resource Areas

In 2008, natural resource areas consisting of surface water, wetlands, and woodlands combined to encompass 5,800 acres, or about 25 percent of the Town. Natural resource areas in the Town included lakes, rivers, streams, 3,337 acres of wetlands, and 2,087 acres of woodlands. Major natural resource lands include Lake Twelve and Ehne, Erler, Green, and Lakes; a portion of the Milwaukee River; portions of the North Branch of the Milwaukee River; Stoney Creek; and a large area of wetlands associated with the North Branch of the Milwaukee River. A complete inventory of natural resource areas is included in Chapter V.

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Extractive

In 2008, one site encompassing three acres was identified as an extractive use. The three-acre excavation in Section 4 along Scenic Drive appears to be an inactive borrow pit.

Open Lands

In 2008, open lands encompassed 711 acres, or about 3 percent of the Town. Open lands include undeveloped portions of residential, commercial, and industrial lots larger than five acres that are not being farmed, and undeveloped parks or portions of park sites that are not being farmed.

Former Landfills and Contaminated Sites

Former Landfills

There are no active landfills in the Town. The DNR has identified three former landfills in its registry of waste disposal sites in the Town. The former landfill sites, altogether, encompass seven acres and are listed on Table VI-4 and shown on Map VI-4 (Natural Limitations for Building Site Development). The DNR registry of waste disposal sites includes active, inactive, and abandoned sites where solid or hazardous wastes were known or likely to have been disposed. The inclusion of a site does not mean that environmental contamination has occurred, is occurring, or will occur in the future, but is intended to serve as a general informational source for the public and Town officials regarding the location of waste disposal sites. None of the three former landfill sites have been identified as a contaminated site by the DNR.

Contaminated Sites

The DNR Bureau for Remediation and Redevelopment identifies and monitors contaminated sites. Contaminated sites include leaking underground storage tank (LUST) sites and environmental repair (ERP) sites. A LUST site has soil and/or groundwater contaminated with petroleum, which includes toxic and cancer causing substances. However, given time, petroleum contamination naturally breaks down in the environment (biodegradation). Some LUST sites may emit potentially explosive vapors. The DNR has identified one LUST site in the Town, which is listed on table VI-4 and shown on Map VI-4.

An ERP site is a site, other than a LUST, that has contaminated soil and/or groundwater. Examples include industrial spills (or dumping) that require long-term investigation, buried containers of hazardous substances, or closed landfills that have caused contamination. ERP sites also include areas with petroleum contamination from above-ground (but not from underground) storage tanks. There are no active ERP sites in the Town.

PART 2: BACKGROUND DATA AND MAPS

Maps

Chapters II through XI provide background data and maps used to help design the Town land use plan map. In addition to the detailed inventories included in these chapters, the comprehensive planning law requires that the following maps be included in the land use element:

- ***Productive Agricultural Soils***

A land evaluation and site assessment (LESA) analysis was conducted as part of the comprehensive planning process to meet this requirement and to develop goals and objectives for farmland preservation as part of the Agricultural, Natural, and Cultural Resources Element. Map V-2 in Chapter V shows the results of this analysis. The LESA Analysis will be used to help update the Washington County Farmland Preservation Plan following adoption of the County comprehensive plan by the Washington County Board of Supervisors.

With the exception of an approximately 40-acre parcel located in Section 7 along STH 28 and an 80-acre parcel located in Section 18 along STH 28, all agricultural land that scored 8.0 or higher in the LESA analysis is designated for agricultural use on the Town land use plan map (Map VI-6). Most of the

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parcels that scored 7.0 or higher in the LESA analysis are also designated for agricultural use. Exceptions include limited areas adjacent to existing subdivisions and areas designated as future growth areas.

- ***Environmentally Sensitive Lands and Natural Limitations to Building Site Development***

Environmentally sensitive lands are shown on Map VI-3, and include primary environmental corridors, secondary environmental corridors, isolated natural resource areas, and surface waters. Map VI-3 also includes the project boundary established by the Wisconsin Natural Resources Board for the North Branch Milwaukee River Wildlife and Farming Heritage Area, which authorizes the DNR to acquire land or conservation easements for resource protection purposes from willing sellers.

Several natural resource features that may limit development were identified by the Town Board and Town Plan Commission, and are shown on Map VI-4. These features include 100-year floodplains, wetlands, slopes of 12 percent or greater, surface water, former landfills, and contaminated sites identified by the DNR. Lands having conservation easements are also shown, which in 2008 included two DNR easements within the North Branch Milwaukee River Wildlife and Farming Heritage Area, two DNR streambank easements along the Milwaukee River, and three Ozaukee Washington Land Trust easements; two located along Stoney Creek and one located in Section 13 along the Washington-Ozaukee County line. Recommendations for the protection and management of these resources are included in the Agricultural, Natural, and Cultural Resources Element (Chapter V).

- ***Utilities and Community Services***

The comprehensive planning law requires the land use element to include maps showing boundaries of areas to which public utility and community services will be provided by the plan design year. Chapter IX includes such maps for the Town.

Opportunities for Redevelopment and Smart Growth Areas

The greatest opportunities for redevelopment in Washington County exist where there is available land served by existing infrastructure, typically in the older and underutilized commercial buildings and parcels located in and adjacent to the traditional downtowns, and older shopping centers located in cities and villages. The following areas were identified as potential “Smart Growth Areas” in the Multi-Jurisdictional Comprehensive Plan for Washington County:

- Environmentally contaminated sites identified by local governments as suitable for redevelopment.
- Underutilized parcels in and adjacent to traditional downtowns, including older shopping centers.
- Undeveloped land within planned urban service areas that is adjacent to existing development and does not encompass lands with significant environmental features or potential for long-term agricultural use.²
- Hamlets identified for urban development in local land use plans.

The Town land use plan map designates additional urban growth in and adjacent to the hamlets of Boltonville, Fillmore, and St. Michaels. These areas will serve as the Town’s “Smart Growth Areas,” as those terms are defined by Section 16.965 of the *Statutes*. Land for additional commercial development in the Town is designated at and near the intersection of STH 144, CTH A, and Club Lane and land for additional industrial development in the Town is designated north of Boltonville, along STH 144, just south of the Washington-Sheboygan County line. There are no public sanitary sewer or water services provided in the Town, which may be expected to limit the density and type of commercial, industrial, and other urban development in the Town. There are no planned sewer service areas within the Town.

²Lands with significant environmental features are identified on Map VI-3 (*Environmentally Sensitive Lands*) and Map VI-4 (*Natural Limitations to Building Site Development*). Lands with potential for long-term agricultural use are identified on Map V-2, *LESA Analysis Map*, in Chapter V.

Existing and Potential Land Use Conflicts

The potential for land use conflicts is greatest in city and village planning or extraterritorial areas that include areas within a town. Planning and extraterritorial areas affecting the Town are shown on Map VI-5. In accordance with Section 62.23 of the *Statutes*, a city or village planning area can include areas outside its corporate limits, including any unincorporated land outside of the city or village boundaries that, in the plan commission's judgment, relates to the development of the city or village. City and village planning areas are typically associated with city and village extraterritorial areas.³ Potential land use conflicts can arise in these areas because they may be planned for in both the town comprehensive plan and the city or village comprehensive plan, with different or conflicting land uses recommended by each plan. A portion of the Town is included in the planning area used by the Village of Newburg for its comprehensive plan. The draft Village of Newburg land use plan map recommends the continuation of existing uses in that portion of the Town within the Village planning area, and does not include the County Estates Growth Area shown on the Town land use plan map.

The southeastern portion of the Town is within the extraterritorial plat approval area of the Village of Newburg and the southwestern portion of the Town is within the extraterritorial plat approval area of the City of West Bend. Under Chapter 236 of the *Statutes*, the city and village have the authority to approve or reject subdivision plats within their extraterritorial plat approval area. The City of West Bend also imposes restrictions on the height of buildings and structures in the southwestern portion of the Town under its airport height limitation ordinance regulations.

PART 3: TOWN OF FARMINGTON LAND USE PLAN

Land Use Plan

The Town of Farmington contains a rich and unique natural, cultural, and historical resource base that includes a portion of the Milwaukee River and North Branch Milwaukee River, archaeological features such as the Native American "Island" Effigy mounds, scenic views, and a strong German heritage. This comprehensive plan seeks to protect natural resources, encourage continued agricultural activities, and preserve the rural character of the Town.

The land use plan map for the Town for the year 2035 is presented on Map VI-6. Table VI-5 sets forth the number of acres and percent of the Town in each land use category on the Land Use Plan map. The land use plan map reflects land uses that existed in 2008, with overlays depicting areas for expansion of residential development in and around the hamlets of Boltonville, Fillmore, and St. Michaels and adjacent to existing residential subdivisions, and limited expansion of existing commercial and industrial areas along STH 144. Continued agricultural or other rural uses are recommended outside the identified growth areas. The land use plan map also identifies existing woodlands, wetlands, surface waters, primary and secondary environmental corridors, isolated natural resource areas, and the project boundary for the North Branch Milwaukee River Wildlife and Farming Heritage Area. Recommendations related to future land uses are included in this section and in the goals, objectives, policies, and programs presented in Part 4.

Low-Density Residential

This category includes all existing single-family, non-modular residences in the Town. Low-density residential development is scattered throughout the Town, with larger concentrations located in the southern and southwestern portions of the Town and in the hamlets of Boltonville and Fillmore. Low-density residential uses occupy 3,990 acres, or about 17 percent of the Town, on the 2035 land use plan map. This includes 2,397 acres of

³ *The Wisconsin Statutes grant cities and villages the authority to approve or deny subdivision plats within 1.5 miles of villages and cities of the fourth class, and within three miles of cities of the first, second, or third class (the City of West Bend is a city of the third class). Cities and villages may also enact extraterritorial zoning regulations for their extraterritorial areas, but must work with the affected town to develop and approve such regulations.*

low-density residential development existing in 2008, plus 1,593 acres of existing agricultural and or open lands within the hamlet and country estates growth areas that may be converted to residential uses during the planning period.

Hamlet Growth Area (Overlay)

The Hamlet Growth Areas are intended to accommodate single-family residential development within subdivisions or on lots created by CSM on lands within or contiguous to, and extending approximately one-quarter mile from, the existing hamlets of Boltonville, Fillmore, and St. Michael's. The Hamlet Growth Area boundaries are shown on Map VI-6. The minimum lot area for single-family units is 40,000 square feet for parcels created prior to the adoption of an updated Town zoning ordinance in 2005, and 1.5-acres for parcels created after that date. In 2008, 555 acres within the three hamlet growth areas were used for agricultural purposes or were open and undeveloped. The plan allows the conversion of these 555 acres to residential use; however, new residential development should occur adjacent to and outward from existing land divisions. Because the Hamlet Growth Boundary lines split parcels, any development proposal on any portion of a parcel that is within the Hamlet Growth Boundary line may also include development of land for the remainder of the parcel, even if said remainder is outside not all within the Hamlet Growth Boundary line.

Country Estates Growth Area (Overlay)

The Country Estates Growth Areas are intended to accommodate single-family residential development within subdivisions or on lots created by CSM on lands within or contiguous to, and extending approximately one-quarter mile from, the boundary of an existing subdivision not contiguous to the hamlets of Boltonville, Fillmore, or St. Michael's. The Country Estates Growth Areas are intended to provide for single-family residential development at an average density of at least three acres per dwelling unit in an estate or farmette setting, served by private sewage disposal and water facilities.

Three country estate growth areas are designated on the land use plan map. The first is located south of the Washington-Sheboygan County line and includes several parcels created by CSM. The second is located along Paradise Road around the Windy Acres subdivision. The third and largest runs from the Green Lake area northwest to STH 144 and along STH 144 to STH 28 and includes the Whitewood Estates, Wesley Estates, Shalom Estates, Pheasant Ridge, Star Valley, Lakehaven, and other subdivisions. In 2008, 1,038 acres within the three country estate growth areas were used for agricultural purposes or were open and undeveloped. The plan allows the conversion of these 1,038 acres to residential use; however, new residential development should occur adjacent to and outward from existing land divisions. Because Country Estates Growth Boundary lines split parcels, any development proposal on any portion of a parcel that is within the Country Estates Growth Boundary line may also include development of land for the remainder of the parcel, even if said remainder is outside not all within the Country Estates Growth Boundary line.

Medium-Density Residential/Modular Homes

This category includes a multi-family building and a mobile home that existed in 2008. The land use map identifies the location of the mobile home east of Orchard Valley Road just south of CTH X, and the location of the multi-family dwelling at the southwestern corner of the CTH DD and Scenic Drive intersection in the hamlet of Boltonville. Medium-Density Residential/Modular Home uses occupy one acre, or less than 1 percent of the Town, on the 2035 land use plan map. The land use plan map does not designate any additional areas for medium-density residential or modular home development.

Commercial

This category includes existing commercial development in the Town including a sign company, a feed mill, a gas station, a small restaurant, taverns, auto repair shops, and an auto sales and repair business. The land use plan map designates a future commercial area overlay at and near the intersection of STH 144, CTH A, and Club Lane. In 2008, 90 acres of land within the commercial area overlay were used for agricultural purposes or were open and undeveloped. If these areas are converted to commercial use during the planning period, areas developed with commercial uses will increase from 20 acres in 2008 to 110 acres in 2035.

Industrial

Industrial land uses included manufacturing and other industrial uses, such as outdoor storage of commercial vehicles and building materials, salvage yards, and storage buildings. The land use plan map designates a future industrial area along STH 144 near the Washington-Sheboygan County line north of Boltonville. In 2008, 15 acres within the industrial area overlay were used for agricultural purposes or were open and undeveloped. If these areas are converted to industrial use during the planning period, areas developed with industrial uses will increase from 29 acres in 2008 to 44 acres in 2035.

Extractive

Extractive land uses involve on-site extraction of surface or subsurface materials (typically sand or gravel). One extractive use encompassing three acres existed in 2008 and is reflected on the land use plan map. The site was inactive in 2008.

Governmental, Institutional, and Utilities

This land use category includes existing governmental and institutional buildings and grounds for which the primary function involves administration, safety, assembly, or educational purposes. This includes the Town Hall, Farmington Elementary School, two volunteer fire departments, Fillmore Turner Hall, two parish churches, a parish church and school, three historic churches, and seven cemeteries. This category also includes two cell tower sites and a gas pipeline substation. This category occupies 69 acres, or less than 1 percent of the Town, on the 2035 land use plan map. The 69 acres in this category is the same as that which existed in 2008. The Town owns enough land adjacent to the Town Hall to accommodate additional public works and/or administrative offices that may be needed to serve the residential growth areas shown on the land use plan map.

Recreational

The Recreational land use category includes lands developed with facilities for public and private outdoor recreation, including public and private parks and private campgrounds, golf courses, subdivision parks, and sportsmen's clubs. This category also includes open space sites owned by the Town of Farmington, Washington County, private recreational organizations, and subdivision associations, including the Star Valley Subdivision park, which is recommended to be developed for recreational use during the planning period. Several other public and private outdoor recreational sites are located in the Town, but those sites are primarily for natural resource protection purposes with limited recreational uses permitted. The plan envisions that the areas devoted to recreational uses would occupy 385 acres, or about 2 percent of the Town, in 2035. The Town should consider preparing a park and open space plan to identify park sites and recreational facilities needed to serve residents in St. Michael's hamlet and possibly within the areas designated for country estate development.

Street and Highway Rights-of-Way

All existing street and highway rights-of-way (as of January 1, 2007) are shown on Map VI-6 as a separate category. There are 861 acres, or about 4 percent of the Town, within existing street and highway rights-of-way. Chapter VIII provides additional information regarding planned transportation facilities in the Town, including recommendations for arterial streets and highways. The Town should require the dedication of collector and land access streets needed to serve new subdivisions and CSMs as plats and CSMs are reviewed and approved by the Town Board.

Agricultural and Open Lands

Agricultural and open lands include all croplands, pasture lands, nonresidential farm buildings, and lands in the Town that are not being farmed and have not been developed. Agricultural and open lands encompass 12,279 acres, or about 52 percent of the Town, on the land use plan map outside the hamlet and country estates growth areas and the future commercial and industrial areas. Agricultural and open lands outside the designated growth areas are intended to preserve agricultural land for food and fiber production; preserve productive farms by preventing land use conflicts between incompatible uses and controlling public service costs; maintain a viable agricultural base to support agricultural processing and service industries; and prevent conflicts between incompatible uses. The Town zoning ordinance updated in 2005 also allows single-family residential development at a minimum density of one home per five acres in the agricultural zoning district. This land use

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category will allow individual single-family homes to be scattered throughout the agricultural areas of the town without having to amend the Land Use Plan. Limitations on scattered housing would be based on the ratio of 1 acre of nonfarm residential to 20 acres of farm acreage as shown on a base farm tract map (created when the town's zoning ordinance is amended in compliance with Chapter 91 of the State Statutes, adopted on July 1, 2009). This ratio would apply to newly constructed homes or converted farm related residences to nonfarm related residences (farmsteads split off from a farm by a certified survey map, for example).

Environmentally Significant Resource Areas

Environmentally significant resource areas shown on the land use plan map include wetlands, woodlands, surface waters, and primary environmental corridors. These resources are described in the Agricultural, Natural, and Cultural Resources Element (Chapter V). To effectively guide development in the Town into a pattern that is efficient, stable, safe, healthful, and attractive, it is necessary to carefully consider the location of planned land uses in relation to these resources. Locating new development outside of primary environmental corridors and other environmentally significant resource areas will serve to maintain a high level of environmental quality in the Town, and will also avoid costly development problems such as flood damage, wet basements, and failing pavements. Properly relating new development to such environmentally significant areas will also help preserve the scenic beauty of the Town.

Where possible, this comprehensive plan recommends that new development be located entirely outside of primary environmental corridors, wetlands, woodlands, and surface waters. While calling for preservation of primary environmental corridors, the plan recognizes that in some cases it may be necessary to allow very low density residential development on the upland portion of such lands (that is, outside surface water, wetlands, and floodplains). In addition to limited residential development, land uses such as transportation and utility facilities and certain recreational uses may also be accommodated within these environmentally significant areas without jeopardizing their overall integrity. Guidelines for the types of development that may be accommodated within various component natural resource features of environmental corridors are set forth in Table V-13 in Chapter V. Even though these guidelines are not exhaustive, with good judgment they may be extended to, and be used for the evaluation of, proposals for similar types of development not specifically listed.

Primary Environmental Corridor Overlay

Environmental corridors contain almost all of the best remaining woodlands, wetlands, and wildlife habitat areas in the Town, as well as floodplains and steeply sloped areas where intensive urban development would be ill-advised. Primary environmental corridors encompass 4,679 acres, or about 20 percent of the Town.

Secondary Environmental Corridor Overlay

Secondary environmental corridors contain concentrations of high value elements of the natural resource base, but are smaller in area than primary environmental corridors. Secondary environmental corridors occupy 867 acres, or about 4 percent of the Town.

Isolated Natural Resource Area Overlay

Isolated natural resource areas consist of areas with important natural resource values which are separated geographically from environmental corridors. Most of the isolated natural resource areas in the Town are wetlands or tracts of woodlands between five and 100 acres in size. Isolated natural resource areas occupy 597 acres, or about 3 percent of the Town.

Wetlands

Wetlands perform an important set of natural functions which include support of a wide variety of desirable, and sometimes unique, forms of plant and animal life; water quality protection; stabilization of lake levels and stream flows; reduction in stormwater runoff by providing areas for floodwater impoundment and storage; and protection of shorelines from erosion. Wetlands are regulated by State and Federal laws. Wetlands in the shoreland area are also regulated by the Washington County Shoreland, Wetland, and Floodplain Ordinance (see Chapters II and V for information about the County ordinance). Development of wetlands, usually requiring them to be filled, is limited. Permits to allow development in wetlands generally require "mitigation," which requires new wetlands

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to be created or existing degraded wetlands to be restored. Mitigation may be required on the same development site or in a different location.

Wetlands identified in SEWRPC's regional land use inventory and shown on Map VI-6 encompass about 3,343 acres, or about 14 percent of the Town. The identification of wetlands is based on the Wisconsin Wetlands Inventory completed in 1982, updated to the year 2000 as part of the regional land use inventory. In addition to the wetlands shown on Map VI-6, certain other areas have been identified by the Natural Resources Conservation Service as farmed wetlands, which are subject to Federal wetland regulations. An updated wetland inventory for Washington County was released in 2008, and is shown on Map XII-1 in the Implementation Element chapter. Large-scale maps of the updated wetland inventory are available at the offices of the Washington County Planning and Parks Department and SEWRPC. The inventory can also be viewed on the DNR's Surface Water Data Viewer website at <http://dnrmaps.wisconsin.gov/imf/imf.jsp?site=SurfaceWaterViewer>.

Woodlands

Woodlands are clusters of deciduous trees at least one acre in size outside of wetlands. Woodlands may also include managed forest lands such as conifer tree plantations. Woodlands encompass 2,088 acres, or about 9 percent of the Town. Woodlands provide an attractive natural resource of immeasurable value by contributing to clean air and water, regulating surface water runoff, and maintaining a diversity of plant and animal life. Woodlands can and should be maintained, to the extent practicable, for their scenic, wildlife habitat, educational, and recreational value and for air and water quality protection. Development in woodlands that are within primary environmental corridors should be limited in accordance with the guidelines in Table V-13.

Surface Water

Surface water includes lakes, ponds, rivers, creeks, and streams. Surface water and adjacent shoreland areas should be protected to maintain water quality. Surface waters encompass 376 acres, or about 2 percent of the Town. Development within surface waters and on adjacent floodplains and shoreland areas are regulated under State and Federal laws and County ordinances (see Chapters II and V for more information).

North Branch Milwaukee River Wildlife and Farming Heritage Area

The land use plan map also identifies the project boundary of the North Branch Milwaukee River Wildlife and Farming Heritage Area within the Town. The project boundary encompasses portions of the North Branch Milwaukee River and Stoney Creek, large wetland complexes, agricultural lands, and Lake Twelve in the Town. The DNR anticipates using a variety of real estate tools, including fee simple acquisition, easements, and purchase of development rights (also referred to as conservation easements) to protect natural features and agricultural lands with the project area. About 3,590 acres, or about 15 percent of the Town, are within the project boundary.

Land Use Projections

The comprehensive planning law requires the land use element to include projections, in five-year increments, of future residential, agricultural, commercial, and industrial land uses. Due to the uncertainty in predicting the rate of future development, it was assumed for the purpose of fulfilling this requirement that the same amount of growth would occur in each of the five five-year periods between 2008 and 2035. The amount of growth in each category is estimated as:

- **Residential:** Based on the population projection of 4,500 persons selected by the Town for the year 2035, an additional 540 housing units will be needed between 2008 and 2035, for a total of 1,723 housing units in the Town by 2035 (see the Housing Element (Chapter VII) for more information). An additional 540 housing units between 2008 and 2035 average to 100 new housing units during each five-year period between 2010 and 2035, plus 40 units between 2008 and 2010; or about 20 new housing units each year.⁴

⁴ *The Town of Farmington Subdivision Ordinance, as amended on June 13, 2006, sets a limit on the maximum number of building permits issued each year to 13 permits for new homes in land divisions of five or more lots, and an additional 13 permits for new homes outside such land divisions. The estimated average of 20 new homes per year needed to accommodate the 2035 population projection selected by the Town is within this annual limit.*

Assuming that 50 new units would be developed in the Hamlet Growth Area at an average density of one home per 1.5 acres and that 50 new units would be developed in the Country Estates area at an average density of one home per three acres, 250 acres would be converted from agricultural or open use to residential uses during each five-year period, including land needed for local streets to serve new land divisions. About 105 additional acres would be converted to residential use between 2008 and 2010. Over 28 years, about 1,355 acres would be converted from agricultural and open use to residential use.

- **Commercial and Industrial:** The Town land use plan designates an additional 90 acres in the commercial land use category compared to commercial uses existing in 2008. This averages to about 17 acres of additional commercial development during each five-year period between 2010 and 2035, plus five acres between 2008 and 2010. The Town land use plan also designates an additional 15 acres in the industrial land use category compared to industrial uses existing in 2008, averaging to three acres converted to industrial use in each five-year period between 2010 and 2035. Over 28 years, 105 acres would be converted from agricultural and open use to commercial or industrial uses.
- **Agricultural:** The number of acres in agricultural use will likely decline during the planning period, as land is converted from farming to residential, commercial, or industrial uses. The amount of agricultural land in the Town is anticipated to decrease by 1,460 acres between 2008 and 2035, which averages to a loss of about 270 acres during each five-year period between 2010 and 2035, plus 110 acres between 2008 and 2010.

PART 4: LAND USE GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

Goals:

- Preserve open and agriculturally-utilized lands, which will continue to enhance the character and desirability of the Town of Farmington, and is in the best interests of all residents.
- ~~Preserve rural character, which are those qualities that make it feel as though one is living in the “country” as opposed to an “urban” setting. Rural qualities include farming operations, undeveloped open space, lakes, minimal public lighting, low traffic volume, and quiet surroundings. (moved to Issues and Opp)~~
- ~~Strive to preserve environmentally sensitive areas. (repeat from Ag)~~
- Work to achieve consensus as much as possible on specific proposals for development or preservation of property.
- Identify If legitimate reasons are provided in a petition and if the Plan Commission bases their recommendation upon goals and objectives of this plan, the Town Board could consider amending the Land Use Plan by adding residential, commercial, and industrial development sites.

Objectives (Actions):

- Consider preparing and adopting a Town park and open space plan to identify parks and recreational facilities needed to serve residential development in the Town
- Determine buffering requirements for commercial uses on a case-by-case basis as a conditional use permit or other applications for development are reviewed.
- ~~As a way of preserving agricultural and open space lands, consider the adoption of through the use of Development Impact Fees, Property Transfer Rights, Purchase of Development Rights, and conservation easements. (Repeat from the Intergovernmental Coop element)~~
- ~~Follow the recommendations set forth in Table V 13 of the comprehensive plan when reviewing development proposals on parcels that include primary environmental corridors. Comply with Department of Natural Resources regulations and Washington County ordinances to protect wetlands, floodplains, and surface waters. Consider the recommendations set forth in Table V 13 when reviewing development proposals on parcels that include primary environmental corridors. (repeat from elsewhere)~~
- ~~Comply with Department of Natural Resources regulations and Washington County ordinances to protect wetlands, floodplains, and surface waters. (repeat from elsewhere)~~

Policies:

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- Thoroughly consider the long-term consequences of land use decisions.
- ~~Require future residential land divisions to locate contiguous to the existing residential areas of Boltonville, Fillmore, and St. Michaels (the “Next Door/ Next Up” policy) to help preserve farmland and minimize the future costs of providing services to residents. (this policy could be challenged in court)~~
- Avoid the creation of water pollution and public health problems by limiting residential development to soils that are well suited to development when served by private on-site waste treatment systems (POWTS) and private wells.
- Recognize that the primary environmental corridors represent a comprehensive open space system that is a main element defining the rural character and scenic beauty of the Town.
- ~~Discourage urban development in primary environmental corridors, floodplains, wetlands, and surface waters (see Maps VI 3 and VI 4). . (repeat from elsewhere)~~
- Encourage the protection of agricultural and high-quality open space lands through public and non-profit conservation organization (NCO) fee simple purchase and conservation easements.
- Buffer new development from adjacent rural uses by requiring the use of berms and landscaping to help maintain rural character.
- ~~Wetland and floodplain areas should not be altered in any way, including, but not limited to filling or draining, unless such alteration would result in the enhancement of the natural resource being disturbed. . (repeat from elsewhere)~~
- Work with property owners to achieve site planning to minimize erosion and disruption to slopes and desirable vegetation. Review of development site and rezoning requests will include consideration of the placement of driveways and soil types to minimize disruption of steep slopes.
- ~~Limit commercial development to the existing hamlets of Boltonville, Fillmore, and St. Michaels and the future commercial area shown on the land use plan map. . (Contradicts other statements)~~
- ~~Industrial development, including expansion of existing industrial uses, will only be considered in the area designated for industrial use on the land use plan map, subject to buffering standards. (Contradicts other statements)~~
- The Town prefers small-scale economic development that does not negatively impact on the Town’s rural character or natural resources.
- Recognize that land use decisions have an impact on more people than just the buyer and seller.
- Determine buffering requirements for commercial uses on a case-by-case basis as a conditional use permit or other applications for development are reviewed.

Program:

- Use Apply the Town zoning and subdivision ordinances ~~and map~~ to maintain a 1.5-acre residential density in the Hamlet areas and a three-acre residential density in the Country Estates areas designated on the land use plan map.

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