

LAND USE ELEMENT

8.1 PURPOSE

The Land Use Element is intended to provide important background data, analyze trends, and define future needs related to community land use. This information will serve as the foundation for the development of goals, objectives, policies, programs, and actions. This planning element must be defined and utilized in conjunction with the other eight elements and will serve as a guide to future growth and development within the community. Tools to implement the community actions taken related to land use are defined and described under Element 9, Implementation.

Defining appropriate land use is about more than making ecologically and economically intelligent choices. It is also about retaining values, lifestyles, cultural assets, and community character. The planning of future land uses is sometimes perceived as an intrusion on the rights of private property owners. The actual purpose of this activity is to protect the rights of the individual and to give landowners, citizens, and local communities the opportunity to define their own destiny.

Many northern Wisconsin communities are facing the same problems now engulfing the southern parts of the state including pollution, a loss of community character, traffic problems, and rising costs to individuals and governments. Taxes have reached all time highs, and infrastructure and maintenance costs continue to encumber local units of government. These issues are being further exacerbated by the trends of unplanned, haphazard growth and development. By giving communities the opportunity to define the way they wish to grow and developing a “road map” to reach that destination, the magnitude of these problems can be reduced.

8.2 BACKGROUND

The Town of Stinnett, located in southern Washburn County encompasses 22,848 acres (35.7 mi²); 768 acres (1.2 mi²) is surface water area (3.42% of total). The Town of Stinnett is rural in nature and generally has a low development density, with the exception of shoreland areas, where a potential for comparatively higher housing densities could prevail.

8.3 EXISTING LAND USE

An inventory of existing land uses was compiled through analysis of 1996 digital aerial photography and verified by the town’s comprehensive planning committee in October 2003. The determined land use boundaries are approximations based of photo-identifiable changes in land use and are not based on parcel classifications used for assessment and zoning purposes.

A standard land use classification system was used to assign different use areas into categories:

Agriculture - Agriculture (3.5%) is the second most dominant existing land use after woodlands. The lands include croplands, livestock grazing, and dairy farming.

Commercial - Retail sales establishments, restaurants, hotels/motels, and service stations.

Commercial Forest - The use of land primarily for the cultivation of trees for timber and other forest products.

Communications/Utilities Facilities - Lands use for generating and/or processing electronic, communication, or water, electricity, petroleum, or other transmittable product, and for the disposal, waste processing and/or recycling of by-products.

Government/Institutional - These lands include: government-owned administration buildings and offices; fire stations; public hospitals and health care facilities; day care centers; public schools, colleges, and educational research lands; and lands of fraternal organizations (BSA, VFW, etc.). Cemeteries, churches, and other religious facilities are included in this land use category.

Industrial - Manufacturing and processing, wholesaling, warehousing and distribution and similar activities.

Mobile Home Park - Designated multi-unit mobile home clusters.

Open Space - Privately owned non-wooded undeveloped lands, fallow fields.

Parks and Recreation - Recreation lands under public or private ownership. Publicly owned recreational lands may include: town parks, nature preserves, athletic fields, boat landings, campgrounds, etc. Examples of privately owned lands may include: golf courses, campgrounds, marinas, shooting range, etc.

Residential - Lands with structures designed for human habitation including: permanent, seasonal, and mobile housing units (not in a designated mobile home park), recreational cabins and cottages.

Transportation - Use of land corridors for the movement of people or materials, including related terminals and parking facilities.

Water - Open water areas, including natural and impounded lakes and streams.

Woodlands - Forested lands under private ownership, private forest woodlots (92%).

8.4 EXISTING LAND USE PATTERN

Woodlands

The dominant land use within the Town of Stinnett is woodlands (92%). The vast majority of woodlands are under public ownership (county forest land). Most private woodlands in the town are used as recreational parcels and several are utilized for forest crop production, harvesting, and storage.

Agriculture

Agricultural use is the second most dominant land use in the Town of Stinnett at a mere 3.5 percent, and patchwork agricultural lands are found throughout the town. Agricultural land use is especially prevalent in the southern portion of the town.

Residential

Rural density residential land use is scattered throughout the Town of Stinnett. The vast majority of these residences are single family-homes. The spatial distribution of homes corresponds to typical patterns for a rural Wisconsin community. A low number of permanent and seasonal residences line the perimeter of Tranus, Sugar Bush, the Davis Flowage and other lakes. The lakes in the Town of Stinnett are not generally suitable for residential development. Some lakes are located on public or protected lands, thereby rendering them unusable for development.

Transportation (local and county roads)

Road corridors are defined as the actual road surface and the associated right-of-ways. The town has a fairly extensive road network consisting of both county and town roadways, with a small section of federal roadway (USH 63) in the south-central section of the town.

Commercial

The Town of Stinnett has very little commercial land use. The only commercial acreage noted is located in or in close proximity to the unincorporated Town of Stanberry, and on STH 77 in northeastern Stinnett. A trend towards commercial home-based business has emerged in many Washburn County communities. It is difficult to determine the exact numbers of these businesses in the community due to lack of available data.

Industrial

No industrial areas were identified on the existing land use map based on photo-interpretation.

Government/Institutional

Government/Institutional land use within the Town of Stinnett consists of the town hall located on CTH M. The town also owns land across the street from the town hall, which is being planned as a parking area for the town hall. Stanberry Park, on County Road M in the unincorporated Village of Stanberry, is also land owned by the Town of Stinnett.

**Table 8.1:
Land Use by Category – Town of Stinnett**

Land use	Acres	Percent of Total
Agriculture	817.9	3.5%
Commercial	.96	<0.1%
Open Space	185.5	0.8%
Gov't/Inst	0.7	<0.1%
Park & Rec	0.7	<0.1%
Residential	100.5	0.4%
Water	768.0	3.3%
Woodlands	21,719.0	92.0%
TOTALS	23,593.3	100.0%

With the exception of surface water, the remainder of land uses within the town comprise little land area. Surface waters account for 768 acres, while the remaining uses (Parks and Recreation, Communications & Utilities) represent less than one acre.

8.5 PRIMARY FACTORS INFLUENCING THE DEVELOPMENT PATTERN IN THE TOWN OF STINNETT

Transportation Network

The town's road network provides access to land parcels throughout the town. Further road development will open new lands to potential development pressure.

Stinnett and Other Surface Water Resources

A visible trend across northern Wisconsin continues to be the development of private lakeshore frontage, and in some cases, second tier (backlot) growth. Surface waters are attractive resources for a wide variety of reasons including recreation, quiet, and aesthetic views. Throughout the region, areas adjacent to and near lakeshores have experienced a dramatic increase in seasonal/retirement home development. Many seasonal homes on county lakes have been converted to year-round residences as people retire and occupy these dwellings permanently. This has *not* been the case in the Town of Stinnett. The lakes in the Town of Stinnett are generally not conducive to any types of development because of their locations and because of the shoreland structure of these types of lakes.

Forested Rural Lands

As lake frontage becomes developed and expensive, more landowners will look towards developing homes in rural forested lands. This type of development can lead to fragmentation of the landscape and general loss of rural character. Rural developments of this type often have long and/or inadequately maintained driveways, which pose challenges for emergency/police/fire response.

Lands Enrolled in Forest Management Programs

Lands that are enrolled in forestry programs such as the Managed Forest Law (MFL) program can provide some assurance that these lands will continue to be utilized as forest. These lands are under contractual commitment, which may or may not be renewed upon expiration.

The price of land depends upon many factors, which can vary significantly by location. It is difficult to generalize the market price of property within a given municipality due to the 'location specific' factors that dictate the price and by the fact that a limited number of properties are on the market at any given time.

8.6 LAND PRICES AND VALUATION

The Northwest Wisconsin Multiple Listings Service (MLS) was searched in early 2005 to find all available properties (Table 8.2). This information represents a snapshot of the local housing market, and does not include properties for sale by owner. The database includes only the listing, or asking price, not the actual sale price of residential properties.

Table 8.2: MLS Database

	Price Range	Acreage Range	Dwelling Size
Single Family Residential	\$67,500 to \$299,500 (average \$145,350)	Lots ranged from less than one acre to 40 acres. Larger acreage generally accompanied more expensive properties. Some of the properties examined were located within the adjacent Towns.	Dwelling sizes ranged from 924 ft ² to 2,200 ft ² . Average dwelling size = 1,268 ft ²
Vacant Lots, Subdivisons	\$17,000 to \$50,000 (average \$29,500)	Lot sizes ranged from ½ acre to 10 acres. Larger lots were generally more expensive	N/A
Vacant Land, Large Lots	Averaged \$2,000 per acre for large lot acreage.	Listings for full 40-acre parcels are generally found in the surrounding Towns.	N/A
	Price Range	Acreage Range	Dwelling Size
Vacant Waterfront	Parcel price range: \$94,900 to \$264,900, or \$1,500 to \$2,000 per linear foot of shoreline. Listing examined included frontage in surrounding Towns.	Most parcels were less than 2 acres in size.	N/A
Waterfront Homes	\$179,900 to \$800,000	Varied.	Dwelling sizes ranged from 768 ft ² to 2,200 ft ² . Average dwelling size = 3,246 ft ²
Condominium/Townhome	\$199,900 to \$299,900	N/A	Average= 1,500 ft ²

8.7 WISCONSIN DEPARTMENT OF REVENUE ASSESSMENT STATISTICS

Wisconsin Department of Revenue real estate classes are used to determine land assessments and valuations. Because these data cover extensive time periods, they can be useful in conducting a simplified land use analysis and for examining trends, which are determined by the conversion from one type of assessment class to another over a period of time. The land use classes used for assessment purposes are: Residential, Commercial, Manufacturing, Agricultural, Swamp and Waste, and Forest. Excluded from this inventory are lands categorized as “other” or tax-exempt lands.

Wisconsin Real Estate Class Definitions

Residential includes any parcel or part of a parcel of untilled land that is not suitable for the production of row crops on which a dwelling or other form of human abode is located.

Commercial includes properties where the predominant use is the selling of merchandise or a service. Apartment buildings of four or more units and office buildings.

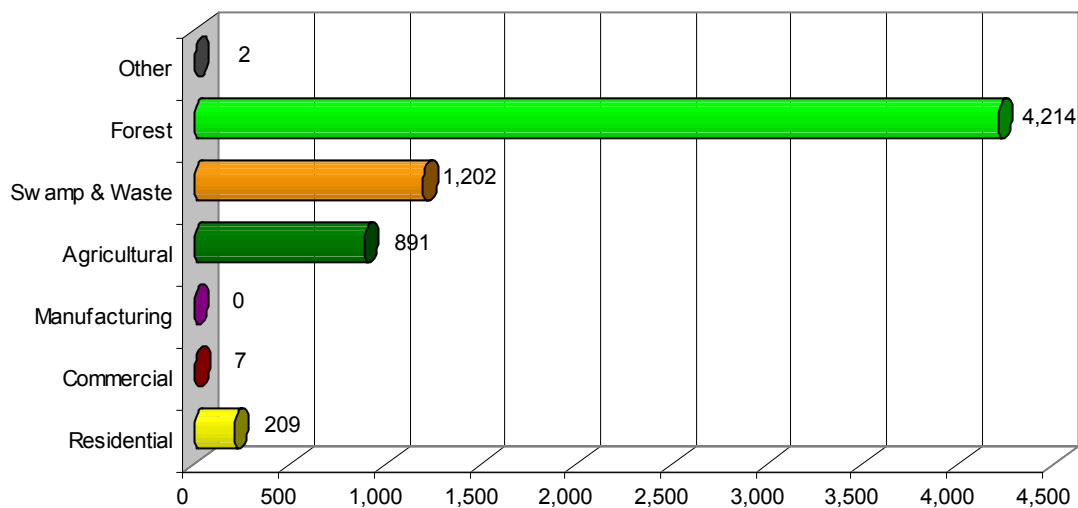
Manufacturing property consists of all property used for manufacturing, assembling, processing, fabricating, making, or milling tangible personal property for profit. It also includes establishments engaged in assembling component parts of manufactured products. All manufacturing property is assessed by the Wisconsin Department of Revenue.

Agricultural land means land, exclusive of buildings and improvements that is devoted primarily to agricultural use, as defined by rule.

Swampland or wasteland means bog, marsh, lowland brush, and uncultivated land zoned as shoreland under §59.692 and shown as a wetland on a final map under §23.32 or other nonproductive lands not otherwise classified.

Productive forestland means land that is producing or is capable of producing commercial forest products.

Figure 8.1: Wisconsin Department of Revenue 2001 Tax Class Acres



8.8 AGRICULTURAL, FOREST AND RESIDENTIAL TRENDS IN THE TOWN OF STINNETT

As indicated by Figure 8.2, the total acreage of lands assessed for residential purposes has increased substantially over the past 20 years through 2001. Between 1981 and 2001 residential acreage increased by approximately 91 percent. The number of residential parcels has increased from 111 to 160 over the 20-year period, an increase of 44 percent.

Lands assessed for agricultural purposes have remained relatively constant over the past 20 years. The Town lost 30.4 percent of its agriculturally assessed lands from 1981 through 2001 most in the time period from 1981 to 1984. The number of parcels declined insignificantly from 74 to 71, a 4.2 percent decline.

Figure 8.2: Residential Assessment 1981-2001

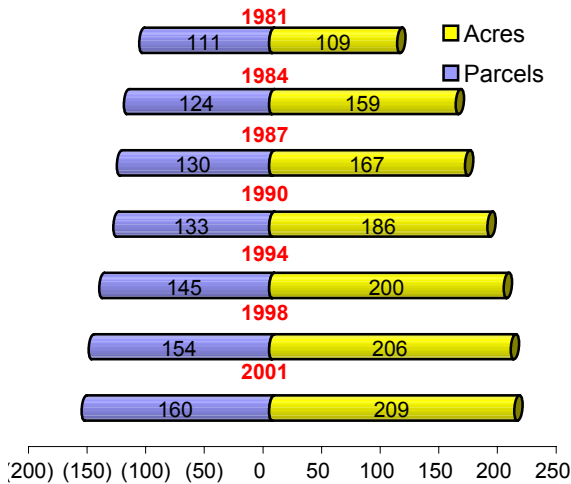
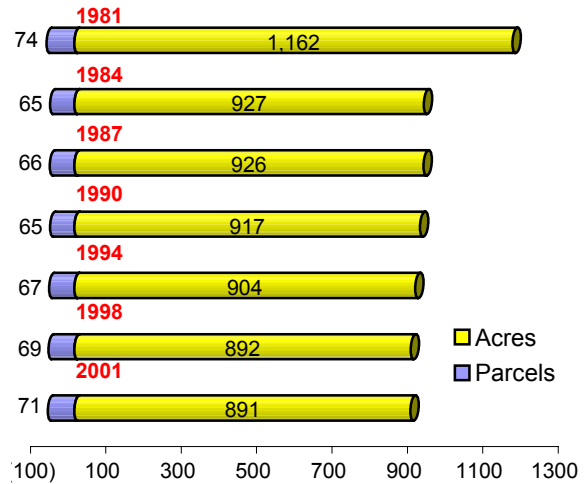


Figure 8.3: Agricultural Assessment 1981-2001



Over the past 20 years, private forest acreage has diminished appreciably in the Town of Stinnett. The total acreage decrease from 1981 to 2001 amounted to 31 percent. The number of forest parcels has remained almost the same during the past 20 years, with minimal fluctuation.

Commercial acreage in the Town of Stinnett has remained the same (7) in the past 20 years. The “swamp & waste” classification area also remained the same in acreage between 1981 and 2001 (1,202). Stinnett did not have any “manufacturing” acreage assessed in 1981 or 2001.

Figure 8.4: Forest Assessment 1981-2001

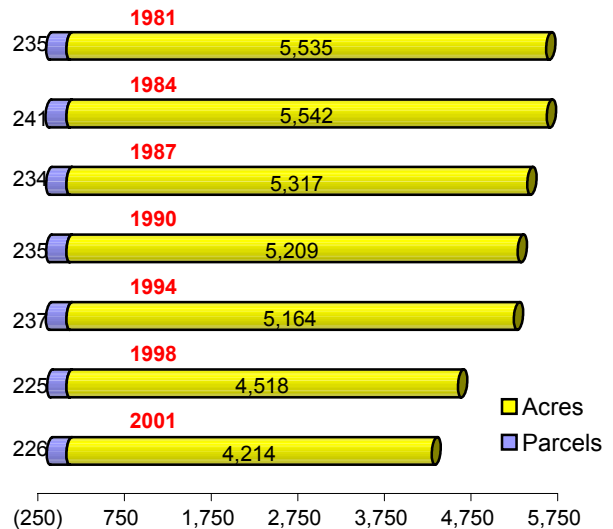
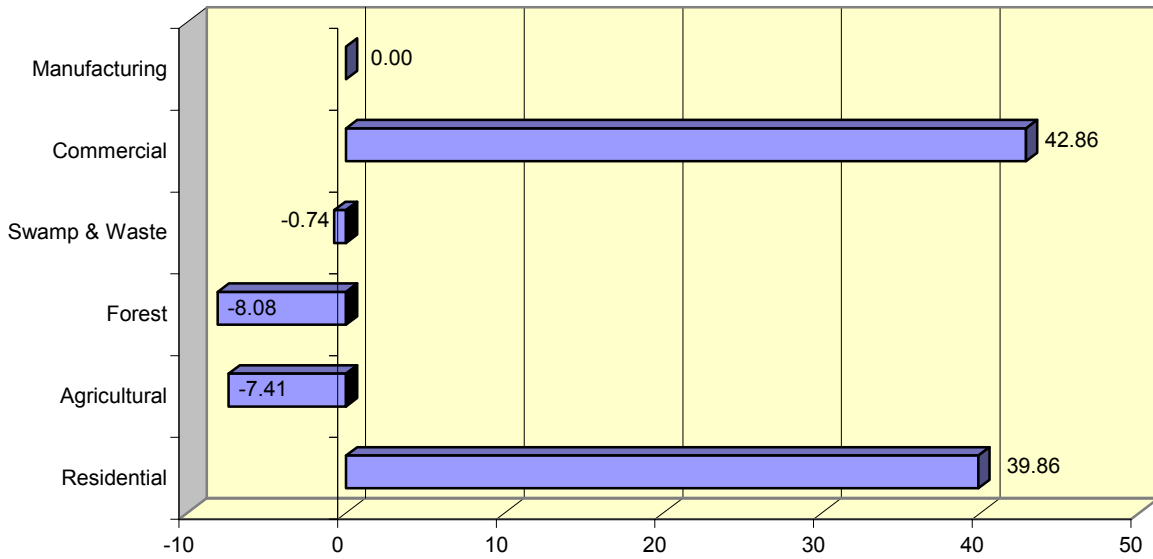


Figure 8.5: Percent Change in Assessment Classes-Washburn County 1990-2001 (Acres)



8.9 WASHBURN COUNTY ASSESSMENT CHANGES, 1990 - 2001 AND WATERFRONT ZONING PERMITS, 2000 & 2001

The highest increases in percentage of assessment class changes from 1990 to 2001 in Washburn County were to commercial (42.86%) and residential (39.86%) zoning. Assessment class changes to forest and agricultural zoning decreased, each at approximately 8 percent. Other zoning class changes were negligible.

Table 8.3 indicates the percentages of zoning public hearing processes held in Washburn County in three different categories during 2000 and 2001: rezoning requests, variance requests, and conditional use requests. Percentages remained fairly constant with slight increases in rezoning and conditional use hearings from 2000 to 2001.

Zoning permits issued for the construction of waterfront homes in Washburn County accounted for approximately half of all zoning permits issued in both 2000 and 2001. In 2000, a total of 197 permits were issued, with a total of 97 issued for dwellings. In 2001, 197 total permits were issued, with 93 permits for dwellings. The remaining zoning permits were issued for additions, accessory buildings, deck and stairs, or other structures.

Table 8.3: Zoning Public Hearing Processes Involving Waterfront Property, 2000 & 2001 (County)

	2000	2001
Rezoning requests	24%	35%
Variance requests	55%	55%
Conditional use requests	7%	11%

Source: Washburn County Zoning Department

8.10 LAND USE REGULATION

General Land Use

Zoning is the regulation of the use of land and buildings, which permits a community to control the development of its own jurisdiction. For all intensive purposes, zoning is a locally enacted law that regulates and controls the use of private property. Zoning involves dividing the countryside into districts or zones for agricultural, residential, commercial, industrial, and public purposes. The zoning law or resolution then states which specific uses are permitted in each district and under what circumstances. It provides for orderly growth by protecting homes and property from harmful uses on neighboring properties.

Zoning is the primary tool regulating land use in the Town of Stinnett and the town is currently under Washburn County zoning jurisdiction (see Map 8.2). The town could develop and enforce its own zoning ordinance. Counties are granted general zoning powers within the unincorporated areas (towns) of the county. However, a general county zoning ordinance becomes effective only in those towns that approve the county ordinance. Towns in counties with a general zoning ordinance (such as Washburn), which have not adopted the county zoning ordinance may adopt village powers and use the city zoning enabling authority, subject to county board approval.

Zoning ordinances must be based on a land use plan in order to be effective and protect the public interest. The current general Washburn County zoning ordinance is not plan based and, to some extent, fails to recognize the interests of local government, landowners, and the general public. The planning for future land uses as a component of the Washburn County comprehensive planning process will form the basis for revision of the existing zoning ordinances.

Shorelands and Wetlands

The Washburn County shoreland/wetland zoning ordinance establishes development standards for lands adjacent to county surface waters. These standards are based on the lakes classification system, which assigns each county water body into one of three classes (I, II, III). The lakes classification rating is based on the individual characteristics of each lake, with class I lakes requiring minimum protection and class III needing the most. Mapped wetlands are also regulated under this ordinance.

Table 8.4: Existing Zoning District Acreage -Town of Stinnett Map GIS Analysis

Zoning District	Total Acres	Parcels	Percent of Total Area
Agriculture	2114	65	9.3%
Commercial	52	4	0.2%
Conservation	495	26	2.2%
Forestry	17,896	489	78.5%
Residential	2.5	1	<0.1%
Residential Agricultural	812	30	3.6%
Residential Mobile	68	3	0.3%
Residential Recreational (1)	22	5	<0.1%
Residential Recreational (2)	633	39	2.8%
Water	714	69	3.1%
Total	22,808.5	731	100.0%

Source: Washburn County Zoning

Redevelopment and Contaminated Sites

Leaking underground storage tanks (LUSTs) are an often a source of localized contamination problems and may pose threats to health and safety. These threats may include: contamination of soil and groundwater; contamination of drinking water; or contamination of lakes, rivers, and streams. Underground storage tanks are regulated in Wisconsin under,

- **Comm 10** Wisconsin Department of Commerce's rule governing installation, registration, maintenance and abandonment of petroleum storage tanks.
- **NR 746** - Applies specifically to sites where petroleum products have discharged from storage tanks.
- **Comm 47** Department of Commerce rule that governs reimbursement from Petroleum Environmental Cleanup Fund Act (PECFA).
- **PCFA** Wisconsin's reimbursement program for eligible costs of cleaning up contamination from leaking underground and aboveground petroleum storage tank systems, administered by the Department of Commerce.

MCD	LUST Sites
Bass Lake Town	1
Beaver Brook Town	2
Birchwood Village	5
Brooklyn Town	1
Gull Lake Town	1
Long Lake Town	1
Minong Town	2
Minong Village	5
Sarona Town	4
Shell Lake City	15
Spooner City	23
Spooner Town	1
Springbrook Town	2
Stone Lake Town	1
Trego Town	4
Total Washburn County	68

The Wisconsin Department of Natural Resources has jurisdiction over 54 LUST sites within Washburn County, while the Department of Commerce has jurisdiction over 14 sites. The siting of land uses should consider the potential negative impact of LUST sites and other pollution hazards. Wisconsin’s corrective action rules (NR 140 & NR 700 series) define the process for

management of environmental discharges from the time of discovery until site closure. Soil and groundwater clean up standards under these rules are ‘risk-based’, with consideration of individual site conditions.

Closed Sites with Groundwater Contamination

The Wisconsin Department of Natural Resources GIS registry of closed remediation sites indicates four sites of known groundwater contamination in Washburn County. Only closed sites with groundwater contamination remaining above chapter NR140 enforcement standards or soil contamination above NR720 residual contaminant levels are included in this registry. None of these sites are located in the Town of Stinnett.

Redevelopment & Smart Growth Areas

Wisconsin Chapter 66 planning legislation requires local communities to explore and plan for redevelopment options such as infill housing, brownfield sites, and obsolete buildings. Local communities are also responsible for identifying potential “smart growth areas” or areas with existing infrastructure and services in place, where development and redevelopment can be directed. These areas may also be recently developing land contiguous to existing development that will be developed at densities that will have relatively low public service costs.

The plan does not specifically identify any particular area or parcel in the Town of Stinnett in need of redevelopment. The vast majority of the town is currently undeveloped.

Future Land Use Development Strategy

The future land use development strategy for the Town of Stinnett is based on several components. Early in the planning process, surveys were distributed to all landowners in the town; the results of these surveys assisted the town planning committee in defining community issues and opportunities. A series of goals and objectives were developed which provided the direction for development of a preferred future land use scenario. These tools were utilized in conjunction with GIS analysis of existing environmental, infrastructure, and transportation conditions to determine the most appropriate locations for future growth and development. Finally, growth forecasts based on the projections found in the *Issues and Opportunities* and *Housing Elements* provided the means to assess future needs related to land use. The combination of public involvement, assessment of conditions, and expected future needs led to the development of a future land use map, recommendations, policies, programs, and actions.

8.11 EXPECTED FUTURE TRENDS IN THE TOWN OF STINNETT

- A. The year-round population of the Town of Stinnett will continue to rise. Some retirees may relocate to the town in the future. The Town of Stinnett anticipates that the largest influx of population may originate from the Hayward area, specifically residents wishing to relocate to the country as population and development in the Hayward area increases.
- B. The number of seasonal residents and tourists is expected to increase.

- C. Demands for rural housing will continue to increase, coupled with increased demand for larger parcels of land.
- D. Demand for waterfront property will continue to be high for those properties in the town considered developable (very few). Riverfront property in the Town of Stinnett is generally not considered developable.
- E. Future industrial development is not likely or anticipated.
- F. Commercial growth will continue at the current rate.
- G. Increased traffic on town roads to accommodate more residents and visitors.
- H. Areas within the town may be attractive to developers wishing to create condominium and retirement communities.
- I. Land prices and taxes will continue to rise.
- J. Seasonal housing units will continue to be converted to year-round permanent residences.
- K. Home-based business and telecommuting will become more prevalent allowing more people the flexibility to live in rural areas such as the Town of Stinnett.
- L. There will be no significant expansion of infrastructure into the town within the next 20 years.
- M. Water quality concerns may increase due to increased development.

8.12 GROWTH FORECASTS

Residential

The historical population projection model for the Town of Stinnett indicates that by the year 2020, the number of year-round residents of the town will increase by 32.

Table 8.6: Population and Housing Projections

	2000	2005	2010	2015	2020
Population	263	273	283	294	305
Average Household Size	2.63	2.56	2.53	2.50	2.47
Year Round Units	105	112	117	123	130
Seasonal Units	28	30	31	33	35
Single Family Homes	82	87	92	96	101
Rental Units	18	19	20	21	22

Note: Does not include vacant housing units, which are factored into totals

The number of single-family homes in the Town of Stinnett by the year 2020 is projected to be 101, a 23.2 percent increase in 20 years. The number of seasonal homes is also expected to increase by seven units, a 25 percent increase. The projected increase in numbers of housing units is due, in part, to the steadily decreasing average household size, although the Town of Stinnett is trending only slightly in this regard. This trend is being experienced at both the state and national levels. The number of projected future homes is based on 1) anticipated population and 2) proportion of seasonal to year round residents in the census year 2000. When these data are projected in a regression analysis based on historical values, increases in both seasonal and permanent housing are also suggested, to a somewhat lesser extent. It is important to note that the proportion model used represents a high demand or maximum anticipated growth scenario. Not factored into the projection model is the rate of conversion of seasonal homes to permanent year-round residences. This phenomenon is certainly occurring in many Washburn County communities but is difficult to quantify due to lack of available data. Town committee input has amplified the consideration that increased residential development is likely to arise from an influx of Hayward area residents looking to relocate in a rural setting, due to their close proximity. This may include multi-family as well as single unit housing, for retirees as well as working-age residents.

Acreage requirements for residential growth will be a factor of both number of total housing units required and housing unit density. Table 8.7 reflects the varying acreage requirements for residential growth based on different housing unit densities. Optimal housing density varies significantly by community and should be based on the community’s goals and objectives. The purpose of Table 8.7 is to show how differing development densities will impact the overall community land base.

Table 8.7: Potential Acreage Required for Total Housing Units 2005-2020

Average Density (Acres)	2005 Potential New Units	2005 Acres	2010 Potential New Units	2010 Acres	2015 Potential New Units	2015 Acres	2020 Potential New Units	2020 Acres	Total Acres 2005-2020
40	9	360	7	280	7	280	8	320	1,240
20	9	180	7	140	7	140	8	160	620
10	9	90	7	70	7	70	8	80	310
5	9	45	7	35	7	35	8	40	155
3	9	27	7	21	7	21	8	24	93
1	9	9	7	7	7	7	8	8	31
0.5	9	4.5	7	3.5	7	3.5	8	4	15.5

Commercial

As previously noted, commercial acreage has changed very little in the Town of Stinnett over the past 20 years. If historical commercial trends continue, the town is expected to require very little additional acreage of commercial land by the year 2025. The Town of Stinnett has indicated acreages on its future land use map as possible sites for commercial development. Therefore, even though no projected commercial acreages (based on historical trends) are noted, there could be a need for some acreage if commercial development occurs.

Objective 2: Protect and identify environmentally sensitive habitats and areas from inappropriate use.

- A. Communicate our specific ideas on land utilization with the use of public lands.
- B. Develop a town land use plan for county forestlands.
- C. Inventory environmentally sensitive areas and habitats adding a zoning clause to protect them.

Objective 3: Separate land uses so they do not infringe on each other.

- A. Update the land use zoning clauses annually to avoid overlapping and conflicting land use.

Objective 4: Look into future town zoning and enforcement of such.

- A. Coordinate with Northwest Regional Planning Commission regarding trends in zoning and enforcement.
- B. Review the town's comprehensive plan according to the law.
- C. Review local ordinances annually.