

Chapter 9

Land Use

Land Use vs. Zoning

The difference between land use and zoning can be confusing. Often, an Existing Land Use map and Zoning map can look very similar, but they convey a different message. An Existing Land Use map depicts what activity is taking place on a parcel of land at a certain point in time regardless of zoning. For example, if a parcel has a home or apartment building on it, the use of that land is for residential purposes regardless of the zoning. It is possible for a parcel of land to have more than one land use on it.

Zoning is a system of classifications and regulations that designate the permitted uses of land. A zoning map shows which zoning classifications are assigned to a parcel of land. The zoning code is the written regulations that describe minimum lot sizes, permitted uses, conditional uses, setbacks, etc. that are associated with a zoning classification.

It is possible for land use and zoning to be different. A parcel of land may be zoned for a single-family home but have a commercial business on it. In this case, we consider this a non-conforming use. In a perfect world, the zoning district associated with a parcel of land would match the use.

Purpose of the Land Use Element

The Land Use Element is intended to provide important background data, analyze development trends, and define future needs related to land use. This information will serve as the foundation for the development of goals, objectives, and recommendations pertaining the physical growth of the Town of Wheaton.

Defining appropriate land uses involves more than making ecological and economical 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 rights of the individuals and to give landowners, citizens, and local communities the opportunity to define their own destiny. At the same time, the Town must acknowledge extraterritorial plat review rights that villages and cities are afforded allowing them to have some say into the development of Wheaton. In addition, the Town also has an Intergovernmental Agreement with the City of Eau Claire that required joint land use planning. This will also play a role in the future development of Wheaton.



Existing Land Use Inventory Map and Land Use Categories

The Existing Land Use map shows historical development patterns in the Town of Wheaton. To create the map, categories of land use were identified that corresponded to the most common uses that were determined using aerial photography. The categories and definitions include the following.

Residential: The Residential land use category includes parcels or portions of parcels where a residence is located. It does not differentiate between single family or multi-family, owner occupied, or renter occupied. If a residence is located on a large parcel, the immediate area around the residence including outbuildings and lawn is included. A residential designation may include agricultural related buildings as well.

Commercial: The Commercial land use category includes parcels or portions of parcels where a business is located. It includes the business, parking area and associated grounds. The Commercial land use category includes, but is not limited to, restaurants, convenience stores, auto body shops, storage units, etc. Typically, businesses where goods and services are bought and sold.

Industrial: The Industrial land use category includes parcels or portions of parcels where an Industry is located. It includes the industry, parking area and associated grounds. The Industrial land use category includes, but is not limited to, manufacturing, warehousing large utility providers, and non-metallic mining areas. Typically, places where raw materials or goods are made for sale and distribution.

Institutional: The Institutional land use category includes parcels or portions of parcels where an Institution is located or is owned by the Town. Institutions are government or non-taxable entities such as Town Halls, Public Works buildings, Fire Departments, churches, etc.

Agricultural: The Agricultural land use category includes parcels or portions of parcels where crops are grown, and associated buildings are located.

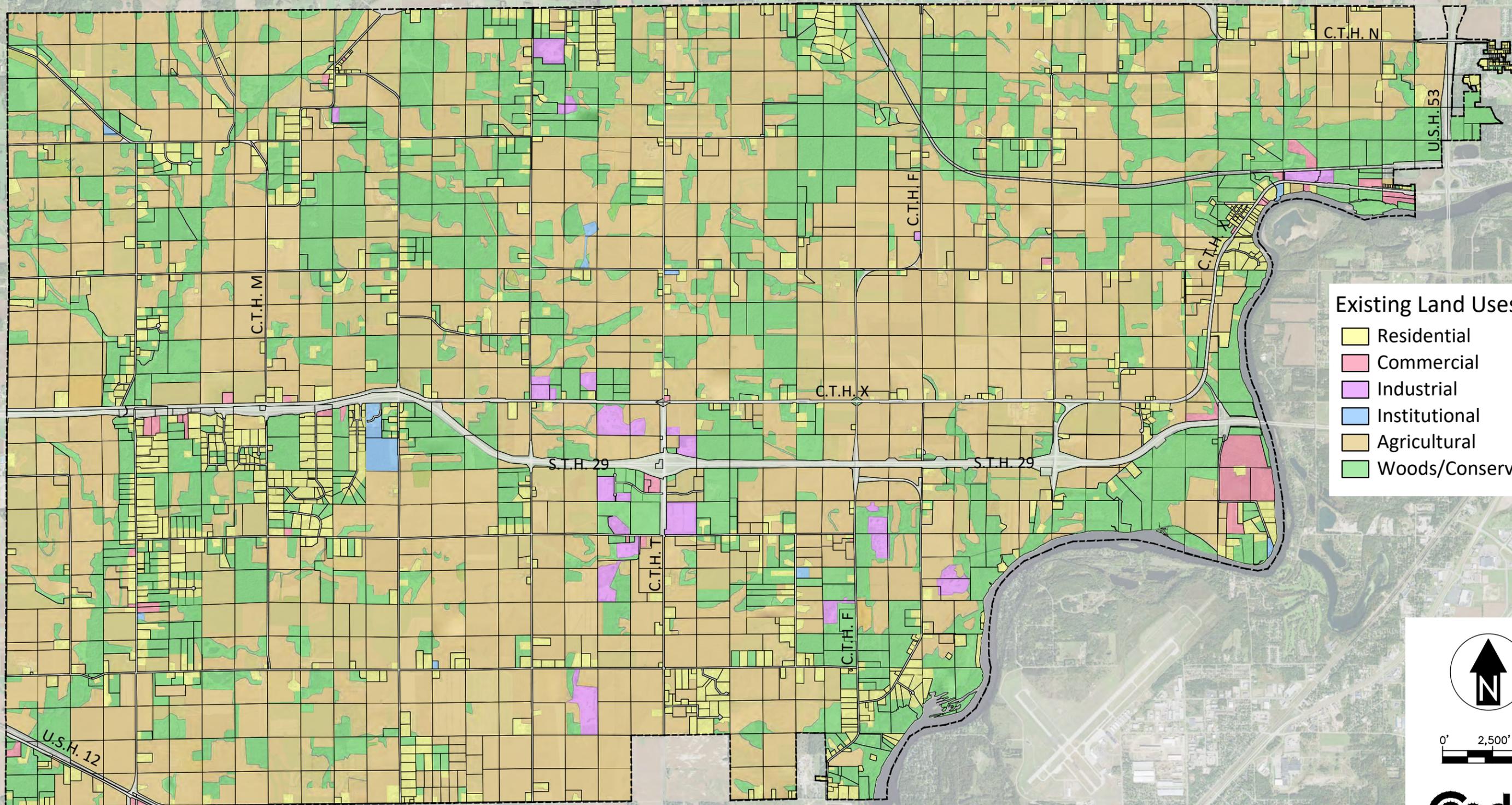
Woods/Conservancy: The Woods/Conservancy land use category includes parcels or portions of parcels where forests, wetlands, and undeveloped lands are located. Typically land in a natural state or used for recreation.

Existing Land Use Patterns

Map 9-1 shows the distribution of land uses in the Town of Wheaton. A majority of land uses are related to agriculture and wood/conservancy. These two uses account for about 85% of all uses (see Table 9-1). Agricultural land uses are found throughout the Town.

Woods/Conservancy land uses are generally found on land adjacent to waterways or where the topography prohibits development. Residential land uses are scattered throughout the Town as well but there are more high-density subdivisions located south of S.T.H. 29. The intersection of S.T.H. 29 and



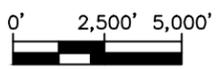


Existing Land Uses

- Residential
- Commercial
- Industrial
- Institutional
- Agricultural
- Woods/Conservancy



0' 2,500' 5,000'




C.T.H. T is becoming a hub for Industrial and Commercial land uses as well as C.T.H. X near the City of Chippewa Falls boundary and an area south of S.T.H. 29 near the Chippewa River.

Table 9-1: Existing Land Use – Town of Wheaton

Land Use	Acres	Percentage
Residential	2,728	7.8%
Commercial	302	0.9%
Industrial	341	1.0%
Institutional	92	0.3%
Agricultural	20,138	57.3%
Woods/Conservancy	9,670	27.5%
Road Right-of-Way/Water	1,864	5.2%
Total	35,135	100.0%

Source: Cedar Corporation

Future Land Use

To determine land use needs due to population growth and possible nonresidential development, several factors are taken into consideration such as existing land use patterns, transportation network, community survey results, and agreements with the City of Eau Claire.

Survey Results Related to Land Use

Figure 9-1 shows the reasons residents indicated were the most important to them for living in the Town of Wheaton. Rural Character ranked the highest followed by lot size. Statistically significant differences of opinion among demographic groups with respect to the reasons for choosing to live in the Town of Wheaton include:

- Respondents age 45 and above were more likely to include low crime rate and agriculture in their top choices for living in the Town. Respondents under the age of 45 were more likely to include property taxes and home lot size in their top reasons to live in the Town.
- Respondents living in the Town of Wheaton for less than 25 years were more likely to include natural beauty, property taxes, and home lot size as their top reasons to live in the Town. Longer-term residents (25+ years) were more likely to include being near family/friends and agriculture as their top reasons for living in the Town.
- Respondents from households with less than \$75,000 annual income were more likely to include being near family/friends as a top reason for living in the Town. Respondents with at least \$75,000 annual income were more likely to include home lot size as a top reason to live in the Town.

Respondents with children in their household were more likely to include quality schools, property taxes, and home lot size as their top reasons for living in the Town. Respondents without children in their households were more likely to include agriculture as a top reason to live in the Town.



Figure 9-1: Most Important Reasons to Live in the Town of Wheaton

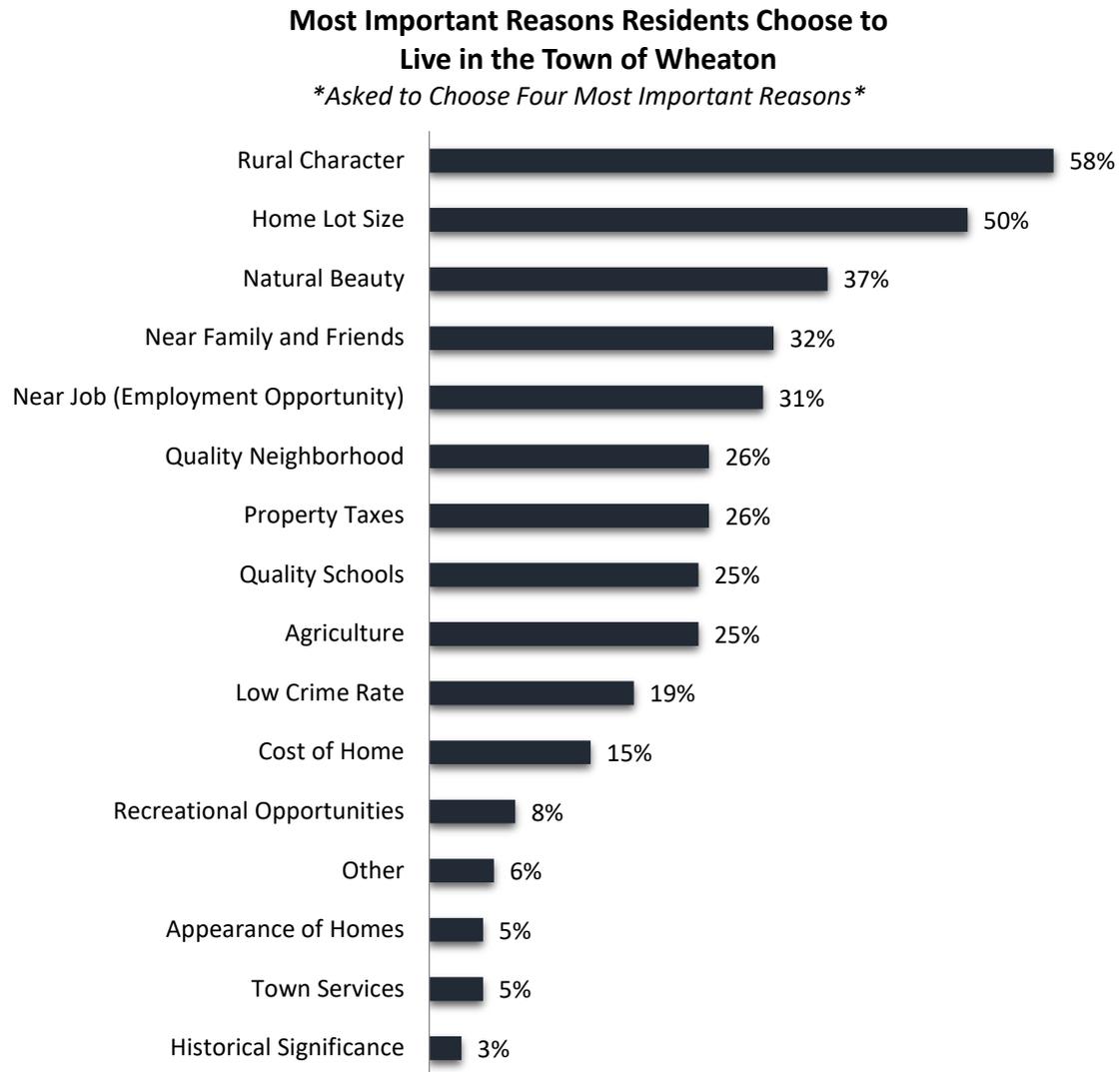


Figure 9-2 shows the results of the question asked residents regarding the preferred minimum lot size in the Town of Wheaton. Currently, most property is zoned Agriculture District. In Wheaton, the minimum lot size for a single-family home in the Agriculture District is 5 acres. Sixty-eight percent of survey responses indicated they supported the **current** 5-acre minimum. Twenty-three percent indicated they preferred a minimum less than 5 acres.

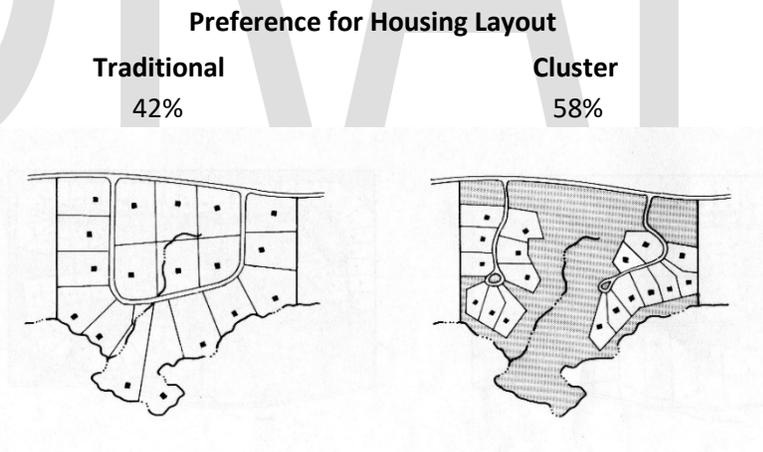
Figure 9-2: Minimum Lot Size for Rural Residential Development

Minimum Lot Size for Rural Residential Development



Although residents preferred the current 5-acre minimum lot size, they also indicated they support the option of a cluster development as a way of allowing development but preserving land (see Figure 9-3). A cluster development allows the same number of lots the zoning would allow but also the ability of have smaller lots to preserve land that may be important as a natural resource or to agriculture.

Figure 9-3: Preference for Housing Layout



- **Cluster design:** The cluster design, while still preferred by a majority, had significantly higher levels of support from younger (<45 years old) respondents, respondents with children in their household, and respondents living in the Town for less than 25 years.
- **Traditional design:** Respondents 45 and above, respondents without children in their household, and respondents living in the Town 25+ years were more likely to prefer a traditional design for housing layouts.

When residents were asked how productive agricultural land should be used for, 99% indicated agriculture which shows the importance of agriculture to the Town’s identity and economy, followed by 76% indicating residential use (see Table 9-2). A large percentage of surveys did not support productive agricultural land being used for commercial use or any use.

Table 9-2: Opinions About Uses of Productive Agricultural Land

Use productive farmland for:	No Opinion	# With Opinion	Strongly Agree	Agree	Disagree	Strongly Disagree
Agriculture Use	2%	555	69%	30%	0%	1%
Residential Use	5%	523	10%	46%	30%	14%
Any use	10%	487	6%	11%	38%	45%
Commercial Use	7%	512	3%	24%	40%	33%

Table 9-3 shows most surveys supported a minimum lot size, having driveways designed to accommodate emergency services, and visual impacts should be considered when evaluating development proposals. At the same time, most surveys did not support landowners being able to develop land any way they want, or the expansion of large-scale farms of 500 animal units or more.

Table 9-3: Land Use Opinions

	No Opinion	# With Opinion	Strongly Agree	Agree	Disagree	Strongly Disagree
Should be a minimum lot size on residential development in rural areas.	4%	552	51%	38%	7%	5%
Driveways should be required to meet standards for providing emergency services.	5%	544	38%	57%	4%	1%
Visual impacts of development is an important consideration when evaluating proposed development.	5%	537	33%	59%	7%	2%
Landowners should be allowed to develop land any way they want.	4%	550	10%	23%	42%	24%
Large scale farms (500 or more animal units) should be allowed to expand.	9%	520	8%	32%	33%	26%

Future Land Use Needs and Land Use Regulations

To determine future land use needs, we can assume that a new household will require a new home but that 10% of these new homes will be constructed on existing lots. Future land needs for commercial or industrial growth will be based on their current number of acres compared to the existing population and then carrying out that ratio using the projected population. It is assumed that land needed for residential, commercial, and industrial development will come from existing agricultural land though woods/conservancy areas may be more attractive for residential development but more difficult to develop.

Table 9-4 shows the housing acreage needed for population growth projected between 2020 and 2040 where it is estimated that the Town of Wheaton will have 205 new households. As



stated above, we will assume that a new household will need a new dwelling. This housing need may be met by constructing homes on vacant lots. Purchasing land for a new home. Converting a home to have an apartment unit or the construction of new subdivisions. For planning purposes, we will assume 10% of those households can find an existing lot to build on, therefore, 185 households will need housing. Using Wheaton’s minimum lot size of 5 acres, 925 acres would be needed for new housing. Cluster development, sometimes called a Conservation Subdivision, could potentially require less land for residential development, which would save some land from development in perpetuity.

Table 9-4: Future Land Use Needs in 5-Year Increments – Town of Wheaton

Land Use	2020 Existing Acreage	2025 Existing Acreage	2030 Acreage Needs	2035 Acreage Needs	2040 Acreage Needs	Total Acres
Residential	2,728	231	231	231	231	3,652
Commercial	302	9	9	9	9	338
Industrial	341	11	11	11	11	385
Agricultural	20,138	-251	-251	-251	-251	19,134

These calculations provide a general idea of the land needed for future development. Many factors will affect future development such as building costs, the economy, regulations, housing options and what surrounding communities are doing to either promote growth or slow growth. Based on the calculations shown in Table 9-4, 1,004 acres are needed to accommodate future residential, commercial, and industrial growth.

Future Development Considerations

When evaluating future development proposals, the maps in Chapter 6: Agricultural, Natural and Cultural Resources should be consulted. The maps show a variety of information that will help the Town make an informed decision or make suggestions for revisions to the development concept to minimize potential land use conflicts with adjacent property owners and negatively impacting natural resources.

Intergovernmental Agreement with the City of Eau Claire

On February 16, 2011, an Intergovernmental Agreement was signed between six towns, including the Town of Wheaton, adjoining the City of Eau Claire and the City regarding land use and land division policies within the City of Eau Claire's Extraterritorial Jurisdiction (ETJ).

As part of the Intergovernmental Agreement, the participating units of government agreed to amend their respective comprehensive plans and land division regulations and jointly request amendment of the Eau Claire and Chippewa County Land Division Ordinances to incorporate the provisions of the Intergovernmental Agreement.

The initial term of the Agreement was for ten (10) years and automatically renewed for a second ten (10) year term when none of the Parties notified the others that it did not desire to renew.



The ETJ land use and land division policies and the Future Land Use Map shown in Figure 9-4 represents the official Future Land Use Map, land use classifications, and policies in this section of the existing Town of Wheaton Comprehensive Plan Update 2021-2041 with respect to areas within the ETJ. Areas outside the ETJ are unaffected by this required language.

In the Intergovernmental Agreement, the Town of Wheaton recognizes and acknowledges that there are two general classes of land within the ETJ:

1. Areas within both the ETJ and the Sewer Service Area (SSA) delineated by the regional MPO and adopted by WDNR; and
2. Areas within the City's ETJ, but not within the SSA.

The current boundaries of the SSA, as delineated in the City of Eau Claire Sewer Service Area Plan: Town of Wheaton and the City's current ETJ, are shown in Figures 9-4 and 9-5 respectively. The entire document with SSA and ETJ special requirements is located in Appendix B.

Figure 9-4: City of Eau Claire Sewer Service Boundary

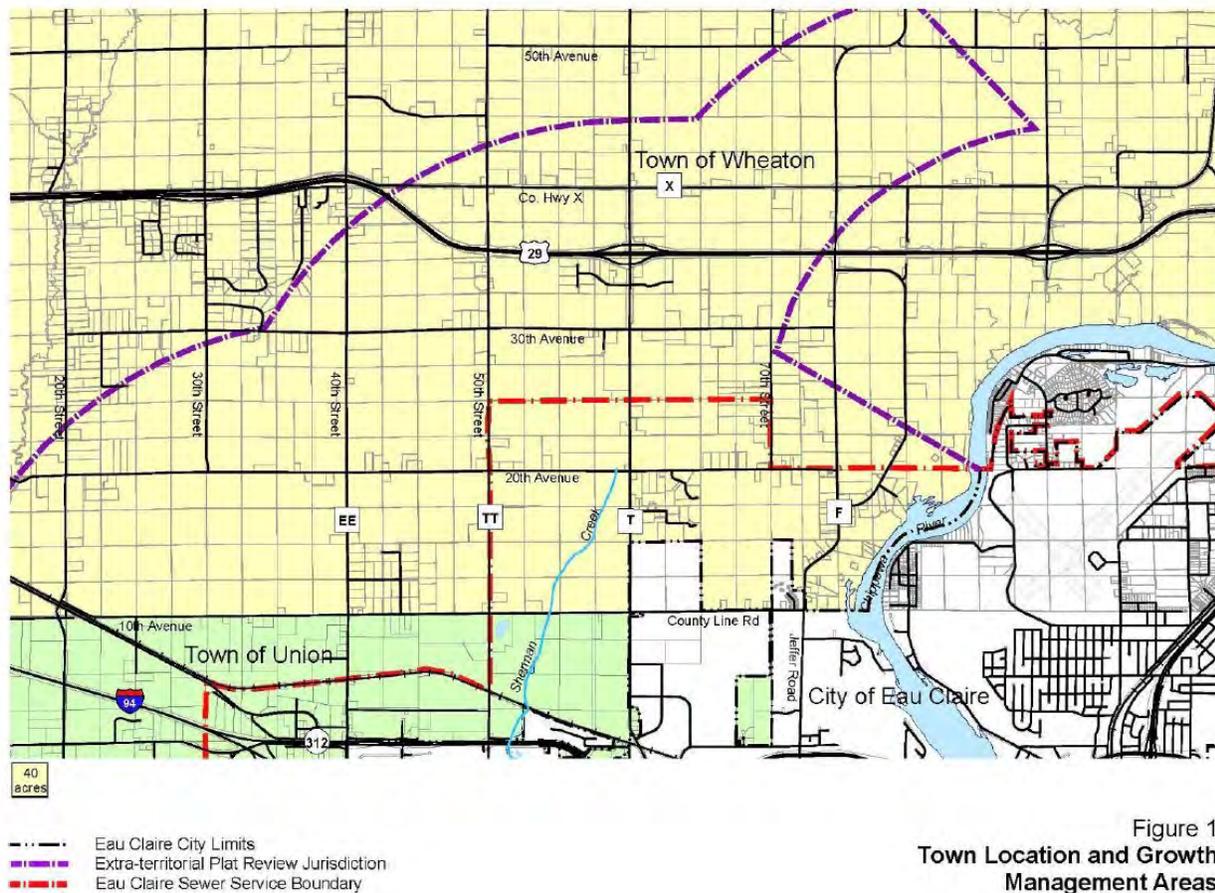
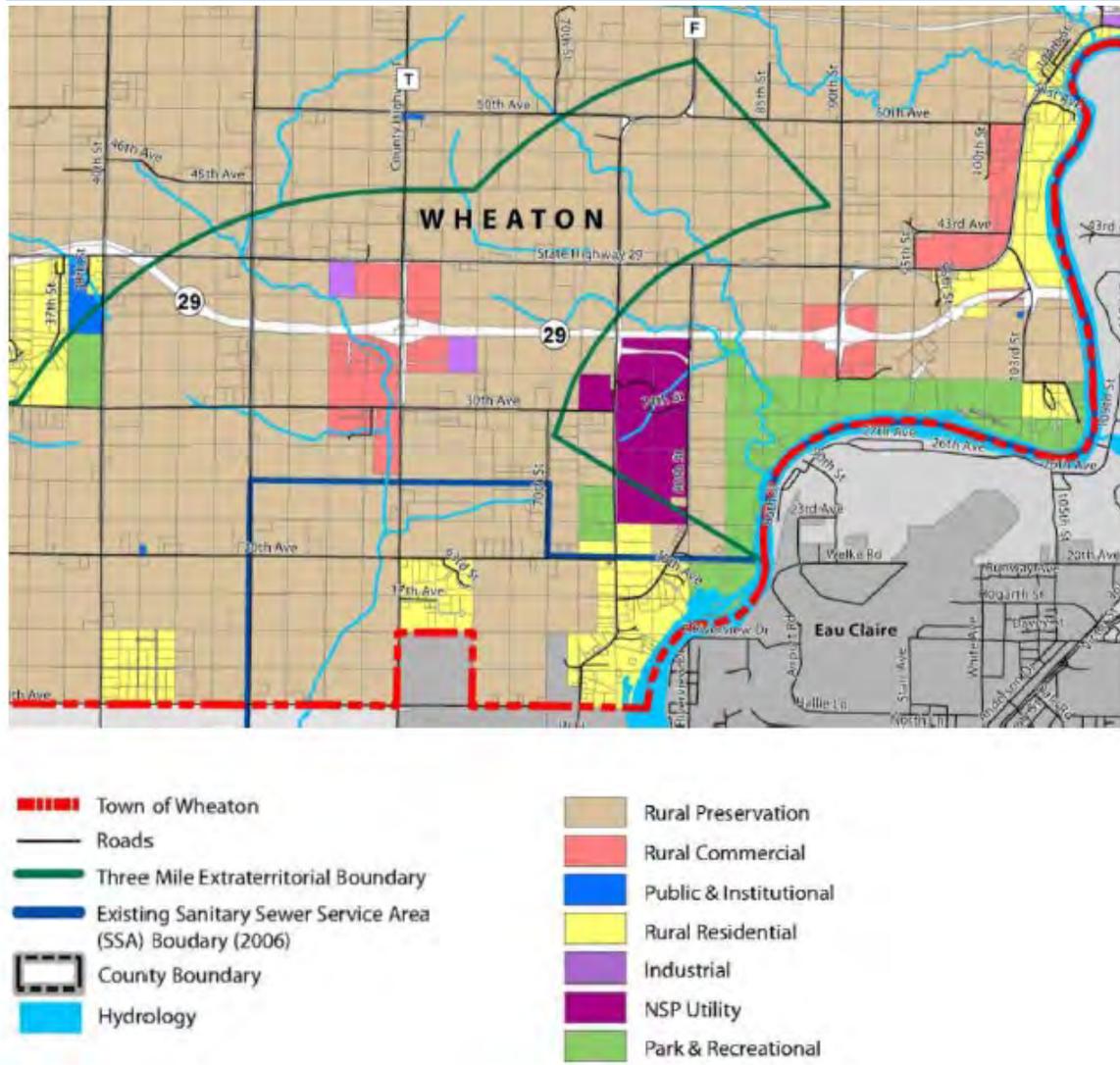


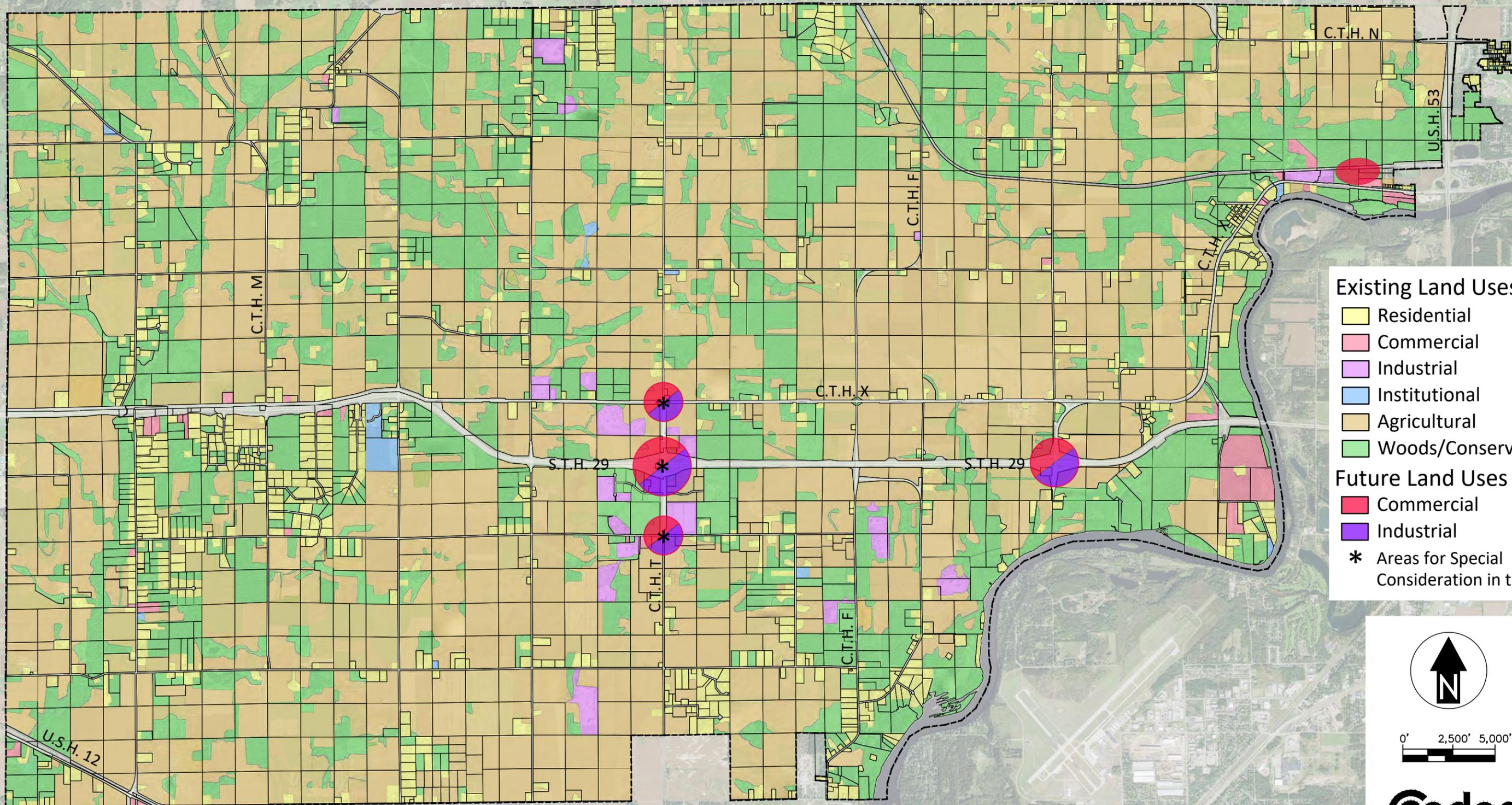
Figure 9-5: City of Eau Claire Extraterritorial Jurisdiction and Wheaton Land Use Map



Source: City of Eau Claire Sewer Service Area Plan: Town of Wheaton January 2013

Future Land Use Map

The Town of Wheaton acknowledges the Future Land Use map shown in Figure 9-5. At the same time, Map 9-2 shows future commercial and industrial land use areas in the Town of Wheaton. Since most of Wheaton is zoned Agriculture, which allows single-family residential development, specific future residential areas were not identified. There are areas identified on Map 9-2 that are conducive to commercial and/or industrial development because of their location on major transportation routes, and existing development that would be attractive to businesses. These areas include C.T.H. X near the City of Chippewa Falls border, intersection of S.T.H. 29 and old S.T.H. 29 and in three locations along C.T.H. T at C.T.H. X, S.T.H. 29 and north of 20th Avenue. The three locations along C.T.H. T are in the City of Eau Claire’s Extraterritorial Jurisdiction but the Town of Wheaton wants to identify them as areas for special



Existing Land Uses

- Residential
- Commercial
- Industrial
- Institutional
- Agricultural
- Woods/Conservancy

Future Land Uses

- Commercial
- Industrial
- * Areas for Special Consideration in the ETJ


 0' 2,500' 5,000'



Future Land Use 2020

Town of Wheaton
Chippewa County, WI



Map 9-2
Future Land Use

consideration at the Eau Claire Metropolitan Planning Area grows and a C.T.H. T Corridor Study is being completed.

Future Development Principles

When evaluating future development plans that have not been identified in the Town of Wheaton Comprehensive Plan Update, the Town can address them if they are consistent with the goals of this Plan. Future residential, commercial, and industrial development should consider the following development principles.

Residential Development

1. Evaluate requiring transportation options (walking and bicycling) as shown in related planning documents or where similar infrastructure exists.
2. Require safe access to parks, open spaces, institutions, and commercial areas if nearby.
3. Support housing options identified in the Plan.
4. Preserve the natural topography and natural resources and incorporate them into the development's design.
5. Have developers design and incorporate engineering principles to reduce vehicle speeds and create a safe environment for bicyclists and pedestrians if connecting to similar infrastructure.
6. Require buffers or other design standard that may reduce potential land use conflicts with existing development that may reduce possible traffic, noise, light intrusion, odors, or other conflicts.
7. Review development design to enhance the environmental quality and energy self-sufficiency.
8. Protect important natural and water resources.
9. Consider the use of the PUD Zoning District or Flexible Zoning for major subdivisions to minimize the loss of productive agricultural lands.
10. Encourage new housing that utilizes the existing wood/conservancy areas to "hide" the visual impact of housing.

Commercial Development

1. Consider the hours of operation, traffic generated, and existing development patterns when evaluating potential development proposals.
2. Require lighting fixtures that reduce light pollution.
3. Provide access to a variety of safe transportation modes when options are available in close proximity.
4. Minimize the impact on adjacent residential areas by evaluating the type of proposed business.
5. Protect important natural and water resources.

Industrial Development



1. Consider the hours of operation, traffic generated, and existing development patterns when evaluating potential development proposals.
2. Anticipate potential land use conflicts and mitigate them using buffers, posting designated transportation routes, reducing speed limits, minimizing lighting requirements, or find a more suitable location.
3. Provide safe access for a variety of transportation modes when these options are available in proximity.
4. Evaluate the proposed site plan so that it minimizes the impact on adjacent residential areas.
5. Protect important natural and water resources.

Goals, Objectives and Recommendations

Goal 1: The Town of Wheaton will monitor residential development and its impacts on agricultural land uses, woods/conservancy land uses, groundwater, and the area's natural resources

Objectives:

1. Minimize the effects of housing development on agricultural and natural resources.

Recommendations:

1. Consider the development and rezoning of property for the construction of senior housing that allows elderly residents stay in Wheaton.
2. Promote Chippewa County's conservation subdivision or Flexible Zoning Land Division ordinance that provides for the protection of open space in new subdivisions.
3. Evaluate impacts on agricultural and natural resources when reviewing subdivisions.
4. Evaluate transportation needs as it pertains to residential growth.
5. Support the expansion of broadband, natural gas, and other infrastructure to serve residential needs.

Goal 2: The Town of Wheaton will support commercial and industrial growth in targeted areas as identified by the Future Land Use map.

Objectives:

1. Increase a diverse offering of businesses in the Town of Wheaton.

Recommendations:

1. Support commercial and industrial clusters in areas identified on the Future Land Use map.
2. Use the Future Development Principles when considering commercial and industrial development concepts outside of areas on the Future Land Use map.



3. Continue to participate in discussions and planning with Eau Claire County, Chippewa County, and the City of Eau Claire regarding long-range plans for transportation improvements and development along the C.T.H. T. corridor.
4. Explore development tools such as boundary agreements or sanitary districts to coordinate commercial and industrial development with neighboring incorporated municipalities to jointly plan the future of the area and provide benefits to each party.
5. Support the expansion of broadband, natural gas, and other infrastructure to serve commercial and industrial needs.

Goal 3: The Town of Wheaton supports development that maintains or improves the natural environment.

Objectives:

1. Increase natural resource awareness and protection.

Recommendations:

1. Consult the maps in the Agricultural, Natural, and Cultural Resources chapter when evaluating development proposals.
2. Work with Chippewa County and other governmental agencies to monitor the effects of all development on groundwater.

DRAFT