

Introduction

Land use is the central element of a comprehensive plan. Previous elements have discussed:

- Projected population growth,
- The quality housing available in the Town and potential future housing needs,
- Transportation network challenges with increasing population growth,
- Available utilities and community facilities,
- Local business choices and economic growth opportunities, and
- Buchanan's abundant natural resources.

This element assesses land use trends by pulling together the recommendations from the previous chapters.

The Land Use Element is divided into two chapters in this plan. This chapter discusses existing land uses, regulations, trends and opportunities. The next chapter discusses desired development patterns, community design standards, coordination with other required plan elements, and supporting goals, objectives and policies. Chapter 10 ends with the *Future Land Use Map* and a discussion of how it was created and how it is to be used.

Of the 14 local planning goals provided in the Comprehensive Planning Law, Buchanan believes that the goals listed below specifically relate to planning for land use:

- Promotion of the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial and industrial structures.
- Encouragement of neighborhood designs that support a range of transportation choices.
- Protection of natural areas, including wetlands, wildlife habitats, lakes, woodlands, open space and ground water resources.
- Protection of environmentally productive areas.
- Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state governmental and utility costs.
- Preservation of cultural, historical and archaeological sites.
- 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 individual property rights with community interests and goals.
- Planning and development of land uses that create or preserve varied and unique urban and rural communities.

Existing Land Use Inventory

The *Existing Land Use Map* was created from information provided by the East Central Wisconsin Regional Planning Commission (ECWRPC), and Outagamie County Town staff, the Buchanan Plan Commission, and residents provided additional updates in the spring of 2006. What follows is a description of the land use categories illustrated on the *Existing Land Use Map*.

SINGLE FAMILY HOMES

Single-family residential development is spread throughout the community, with the highest densities concentrated in the western portion of the Town. As of 2000, more than 92% of the homes in the Town were single-family homes. The vast majority of new housing development has occurred within planned subdivisions. Information about the characteristics and quality of the Town's housing supply is available in Chapter 4.

MULTIPLE-FAMILY RESIDENTIAL

Multiple-family residential development is found in a few areas of the community. Chapter 4 provides more information about multiple family housing.

COMMERCIAL

Commercial land uses are concentrated primarily around STH 55, CTH KK, west of CTH AP and just south of CTH CE. Commercial land uses include retail businesses, restaurants, gasoline stations and service businesses like travel agencies, banks, and realtors. Chapter 8 profiles economic development opportunities.

INDUSTRIAL

Industrial land uses, as shown on the *Existing Land Use Map*, are concentrated along Stoneybrook Rd., STH 55 and CTH KK. To learn more about the Town's economic development opportunities, refer to Chapter 8.

INSTITUTIONAL

Institutional uses include churches and schools. For more information about area churches refer to the Culture Resources portion of Chapter 7. For information about the local school districts refer to the Utilities and Community Facilities Element (Chapter 6).

RECREATION

Parks, trails, golf courses, and the indoor soccer facility are grouped in this category. For more information on these areas, see Chapter 6.

WOODLANDS

Forested areas in the Town are scattered throughout the community and are particularly dense in floodplain areas adjacent to the streams, creeks and the Fox River corridors. Forested areas are shown in dark green on the *Existing Land Use Map*. For information about woodlands and other natural areas, refer to Chapter 7.

AGRICULTURE

A very significant share of the Town is classified as agricultural land. The most abundant, contiguous areas of farmland are located in the eastern half of the Town. Agricultural lands include farm residences, farm fields and buildings, pasture, orchards, and rented cropland. For additional information about the local agricultural land uses, refer to Chapters 7 and 8.

UTILITIES

Utilities include electricity, natural gas, communications, and similar services. More information is provided in Chapter 6.

CEMETERIES

Cemetery locations are also illustrated on the *Existing Land Use Map*. A detailed profile of each cemetery is included in the Utilities and Community Facilities Element (Chapter 6).

UNDEVELOPED / PRESERVED OPEN SPACE AREAS

Areas classified as *undeveloped* consist of residential subdivision lots that are not yet developed, preserved open space in subdivisions, and other areas that are not classified as wooded, wetland or farmland (e.g. shrub covered, open space).

WATER FEATURES

Water features include ponds, streams, creeks, and drains. The primary water features in the Town are creeks, streams and the Fox River. To learn more about surface water see to Chapter 7.

WETLANDS

Wetlands are found adjacent to water features and in lowland marsh areas. Refer to Chapter 7 for more information.

ROADS

All roadways are shown in black on the *Existing Land Use Map*. To learn more about transportation facilities, refer to Chapter 5.

RACE TRACK

The Wisconsin International Raceway is shown as a shaded black and white-checkered flag pattern on the *Existing Land Use Map*. To learn more about the Wisconsin International Raceway, refer to Chapter 7.

The table below is a numerical breakdown of the existing land uses Buchanan. This table is required by 1999 WI Act 9, Wisconsin’s Smart Growth Law. The net residential density is 1.58 dwelling units/acre (1,846 residential units/1,170.92 residential acres).

Table 27: 2004 EXISTING LAND USE AMOUNT & INTENSITY		
Land Use Type	Amount (in acres)	% of Planning Area
Single Family Residential	1,170.92	11.35%
Multiple Family Residential	13.09	0.13%
Mobile Homes	0.21	0.00%
Utilities	17.60	0.17%
Commercial	133.07	1.29%
Industrial	106.03	1.03%
Cemeteries	3.40	0.03%
Institutional	40.64	0.39%
Race Track (WIR)	76.33	0.74%
Agriculture	5,759.21	55.84%
Farmsteads	181.37	1.76%
Woodlands	1003.59	9.73%
Water	278.08	2.70%
Recreation	137.15	1.33%
Undeveloped	699.62	6.78%
Roads	694.08	6.73%
Total	10,314.39	100%

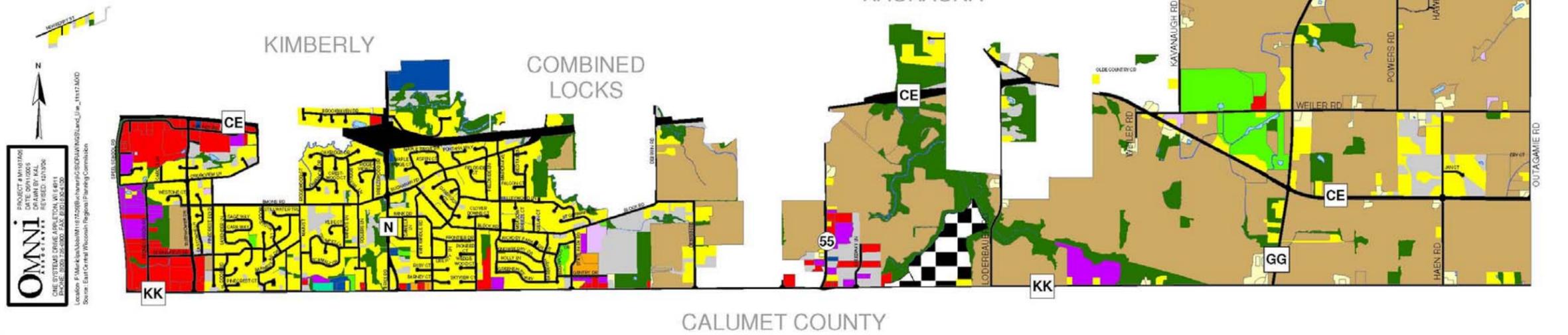
EXISTING LAND USE

TOWN OF BUCHANAN

OUTAGAMIE COUNTY, WI



Legend	
	SINGLE FAMILY
	FARMSTEADS
	MULTIPLE FAMILY
	MOBILE HOMES
	INSTITUTIONAL
	CEMETERIES
	UTILITIES
	COMMERCIAL
	INDUSTRIAL / MANUFACTURING
	FARMLAND
	WISCONSIN INTERNATIONAL RACEWAY
	RECREATIONAL
	WOODLANDS / OPEN SPACE
	UNDEVELOPED
	WATER
	ROADS



Land Use Regulations

TOWN OF BUCHANAN ZONING ORDINANCE

The Town of Buchanan has adopted and enforces its own local zoning ordinance. The zoning ordinance organizes the community into different districts. Within each district specific uses are permitted subject to certain requirements.

The Town of Buchanan is fortunate to have its own zoning code to use as a tool to permit development in a fashion that is compatible with the local rural setting. Not all Towns in Wisconsin have their own zoning ordinance. In many Towns, the only zoning regulations available are adopted and enforced by the county. This limits local autonomy. The Town of Buchanan is free to update and modify its local zoning ordinance as it deems necessary to promote public health, safety and community welfare.

Buchanan's zoning ordinance follows a traditional Euclidean¹ model that seeks to segregates uses by type and establishes dimensional requirements related to lot size, setbacks and building height. As new uses are created over time, they are listed specifically in the zones in which they are permitted. To be most effective, this type of ordinance must list every possible use and establish a zone in which that use would be appropriate. Euclidean ordinances are based on a philosophy that separation of uses will create a safer, healthier environment. In recent years, the planning profession has developed alternative zoning models based on performance standards and building form.

Form-based zoning codes regulate a community based on the appearance (e.g. building line, landscaping, lighting, signage, building size, building materials, building design) rather than the type of use. Ordinances based on performance standards seek to regulate based on a particular set of operation standards rather than on particular type of use.

Performance standards provide specific criteria for limiting noise, air pollution, emissions, odors, vibration, dust, dirt, glare, heat, fire hazards, wastes, traffic impacts and visual impacts of a use. In this approach, the proposed use is not a factor in development. If all operation standards can be met, any use can be permitted adjacent to another. Some communities are also using hybrid-zoning codes that combine performance and form-based zoning criteria to regulate land use.

These two new approaches (form and performance) offer the advantage of regulating the impact and design characteristics of different uses, rather than limiting the types of uses allowed in a community. As a result, communities relying on these newer models are creating mixed-use communities with a variety of different land uses established in close proximity. This pattern of development provides a walkable environment in which a person can walk to neighborhood shopping, school, and employment destinations as opposed to a Euclidian model that either separates uses and results in the need to drive to different destinations, or requires multiple variances to gain approval. More information about walkable communities is provided in Chapter 5 and Chapter 10.

Table 27.0 provides a breakdown of the different zoning districts found in the Town of Buchanan. For additional information refer to the Town of Buchanan Zoning Ordinance. These different districts are illustrated on the *Zoning Map* provided in this chapter. Growth over the last decade has added a significant amount of new development, particularly in the western portion of the Town.

EXTRATERRITORIAL ZONING & PLAT REVIEW

Currently, none of the surrounding communities have extra-territorial plat review authority. If any of these communities decides to adopt extraterritorial plat review powers, the Village or city would have the right to make recommendations for or against development proposals within the extra-territorial limits. To develop an extra-territorial zoning ordinance with jurisdiction in the Town of Buchanan, a Joint Extra-Territorial Zoning Committee would be established to develop zoning for the area. This committee would include 3 members from Buchanan and 3 members from the community.

Kimberly, Combined Locks and Kaukauna do not have an extraterritorial Zoning Ordinances. The Town will continue to work with surrounding communities to ensure development patterns within the Town are consistent with the surrounding areas.

Zoning Changes

Information pertaining to zoning ordinance changes is provided in the Implementation Element Chapter of this plan.

What is Extraterritorial Zoning?

An extraterritorial zoning ordinance adopted by a municipality may regulate the subdivision of land within the extraterritorial jurisdiction of that municipality (e.g. within 1.5 miles of a Village and 3 miles of a City boundary). The objective of extraterritorial jurisdiction is to review land divisions that are proposed beyond the municipality to ensure street extensions, environmental corridors, and parks are preserved to provide efficient municipal growth without having to annex extensive rural development.

¹ Reference to Euclid vs. Amber Realty Company, 1926 U.S. Supreme Court Decision, which serves as the foundation for zoning practice in the United States.

OUTAGAMIE COUNTY SHORELAND-FLOODPLAIN-WETLAND ORDINANCE

The Outagamie County Shoreland-Floodplain-Wetland regulations were initially adopted on August 28, 1985. The most recent amendment was adopted on July 1, 1990. The floodplain and “shoreland” areas in all townships surrounding Buchanan are regulated by Outagamie, Brown, or Calumet County ordinances. The Outagamie County Shoreland-Flood –Wetland Ordinance is characterized by the provision of a floodway district, a flood fringe district, and general floodplain district which protect floodplain areas by regulating proposed developments within the 100-year recurrence interval floodplains as delineated in the federal Flood Insurance Study, County of Outagamie, Wisconsin, Unincorporated Areas: September, 1977.

The Shoreland-Floodplain-Wetland Ordinance of Outagamie County regulates “shoreland” areas, defined as those lands lying within 1,000 feet of the ordinary high-water mark of natural lakes, ponds, or flowages, or 300 feet of the ordinary high-water mark of navigable rivers or streams or to the landward side of the floodplain, whichever distance is greater. Lakes, ponds, flowages, rivers, and streams are presumed to be navigable if they are listed in the Wisconsin Department of Natural Resources publication, Surface Water Resources of Outagamie County, or are shown on the United States Geological Survey quadrangle maps.

TABLE 28.0: TOWN OF BUCHANAN RESIDENTIAL ZONING CLASSIFICATIONS							
District Name	Permitted Uses	Minimum Lot Size	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback	
AED: Exclusive Agricultural District	Agricultural Uses. Agricultural uses (beekeeping, commercial feedlots, dairying, egg production, floriculture, fish or fur farming, forest and game management, grazing, livestock raising, orchards, plant greenhouses and nurseries, poultry raising, raising of grain, grass, mint and seed crops, raising of fruits nuts, an berries, sod farming, placing land in federal programs in return for payments in kind, owning land at least 35 acres of which is enrolled in the conservation reserve program, participating in the milk production termination program and vegetable raising), dwellings existing before the effective date of the ordinance which are not necessary to or associated with agricultural uses, farm residences or structures which existed prior to the adoption of the ordinance may be separated from the larger farm parcel.	35 Acres.	None	None	None	None	
AGD: General Agricultural District	Permitted principal uses and structures of the AED District, public and semi-public non-profit institutional uses of similar natures, parks ,preserves, golf courses, and single-family detached dwellings unrelated to any farm operations.	Principal Ag. Uses:	4 acres	200 feet	25 feet	None	None
		Single-Family Lots:	24,000 square feet	100 feet	25 feet	20 feet each side	30 feet
RSF: Single-Family Residential District	Single-family detached dwellings, public and semi-public non-profit institutional uses including churches, schools, libraries, and the like, parks, playgrounds, golf courses, community centers ,community living arrangements, and day care (family).	Within an approved subdivision served by public sewer:	10,000 sq. ft.	90 feet	25 feet	6 feet each	25 feet
		Not within an approved subdivision, but served by public sewer:	9,000 sq. ft.	75 feet	25 feet	8 feet each	35 feet
		Within an approved subdivision, not served by public sewer:	15,000 sq. ft.	90 feet	25 feet	8 feet each	35 feet
		Not within an approved subdivision, not served by public sewer:	18,000 sq. ft.	100 feet	25 feet	10 feet each	40 feet

District Name	Permitted Uses	Minimum Lot Size	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback	
RTF: Two-Family Residential District	Permitted principal uses and structures listed as 1 through 5 in the Buchanan RSF District, two-family dwellings served by a public sewer system, single-family attached dwellings served by a public sewer system.	Detached Single-Family Dwellings:	Same as RSF District	Same as RSF District	Same as RSF District	Same as RSF District	Same as RSF District
		Two-Family Dwellings served by public sewer/water:	9,000 sq. ft. (4,500 sq. ft. per family)	75 feet	25 feet	8 feet each	25 feet
		Two-Family Dwellings not served by public sewer/water:	18,000 sq. ft.	100 feet	25 feet	10 feet each	40 feet
		Attached Single-Family Dwellings:	12,000 sq. ft.	100 feet	25 feet	10 feet each	25 feet
RMF: Multi-Family Residential District	Permitted principal uses and structures listed as 1 through 5 in the Buchanan RSF District, two-family dwellings, single-family attached dwellings, and multi-family dwellings provided the building does not exceed three (3) stories in height.	Detached Single-Family Dwellings:	Same as RSF District	Same as RSF District	Same as RSF District	Same as RSF District	Same as RSF District
		Attached Single-Family & Two-Family Dwellings:	Same as RTF District	Same as RTF District	Same as RTF District	Same as RTF District	Same as RTF District
		Multi-Family Dwellings not exceeding 3 stories or 45 ft. in height:	10,000 sq. ft. Maximum density of 20 dwellings per net acre.	90 feet	25 feet	20 feet each	25 feet
		Multi-Family Dwellings exceeding 3 stories or 45 ft. in height:	20,000 sq. ft.	100 feet	25 feet	25 feet	25 feet
CL: Local Commercial District	Retail outlets, service establishments, business and professional offices, taverns, restaurants, hotels/motels, clubs, organizations, indoor commercial recreational establishments, nursing homes, office equipment and supplies, garden center, plant nursery, landscape contractor, veterinary offices, mortuaries, equipment rental, existing dwellings, storage establishments and attached single family residents.	Permitted principal uses and structures:	10,000 sq. ft.	90 feet	35 feet	20 feet each	50 feet
		Special exception uses and structures:	12,000 sq. ft.	100 feet	35 feet	25 feet each	50 feet
CR: Regional Commercial District	Permitted principal uses and structures 1 through 3 in the CL District where the building or structure does not exceed 40,000 square feet or floor area. The front of all buildings shall be faced with decorative masonry or other materials of suitable aesthetic, safety and durability value. Permitted principal uses and structures also includes 4 through 14 in the CL District.	12,000 square feet	100 feet	35 feet	20 feet	50 feet	

District Name	Permitted Uses	Minimum Lot Size	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback
CP: Planned Commercial District	Business/professional offices, art gallery, museum, library, community center, publicly owned and operated recreational facilities, Hotels, restaurants, clubs, organizations, retail shopping centers, hospitals, health centers, nursing homes, convalescent homes, vocational/trade/business schools.	2 acres	200 feet	None	None	None
IND: Industrial District	Wholesaling, warehouse, storage, distribution establishments, service and repair, printing and publishing, agricultural related uses, service establishments catering to commercial/industrial establishments, light manufacturing, manufacturing uses, building contractor and transportation terminals.	12,000 square feet	100 feet	35 feet	20 feet	25 feet

SUBDIVISION REGULATIONS

The purpose of a subdivision ordinance is to regulate and control the division of land to:

- Further the orderly layout and use of land;
- Prevent the overcrowding of land;
- Lesson the congestions on streets and highways; and
- Facilitate adequate provision for water, sewage and other public improvements.

A subdivision ordinance includes technical requirements, design standards for plats and certified survey maps, and required improvements (e.g. stormwater detention, public and private sewage, land dedication).

The *Outagamie County Subdivision Ordinance* outlines procedures for land division, technical requirements, design standards for plats and certified survey maps, and outlines required improvements (e.g. stormwater detention, public and private sewage, land dedication). The county ordinance also includes provisions for cluster developments (e.g. conservation subdivisions), but provides little guidance for such development design and objectives. To obtain a copy of the county ordinance, contact the Outagamie County Planning/Zoning Department.

The Town of Buchanan does not have its own separate subdivision ordinance. As a township with “village powers,” the Town has the authority to establish its own subdivision ordinance. Such an ordinance could only be enforced if it were more restrictive than existing Outagamie County Subdivision Ordinance. The purpose of a Town Subdivision Ordinance would be to further regulate and control the division of land to:

- Support the development pattern presented in the *Future Land Use Map*;
- Prevent the overcrowding of land;
- Lesson the congestion on streets and highways.

ZONING MAP

TOWN OF BUCHANAN

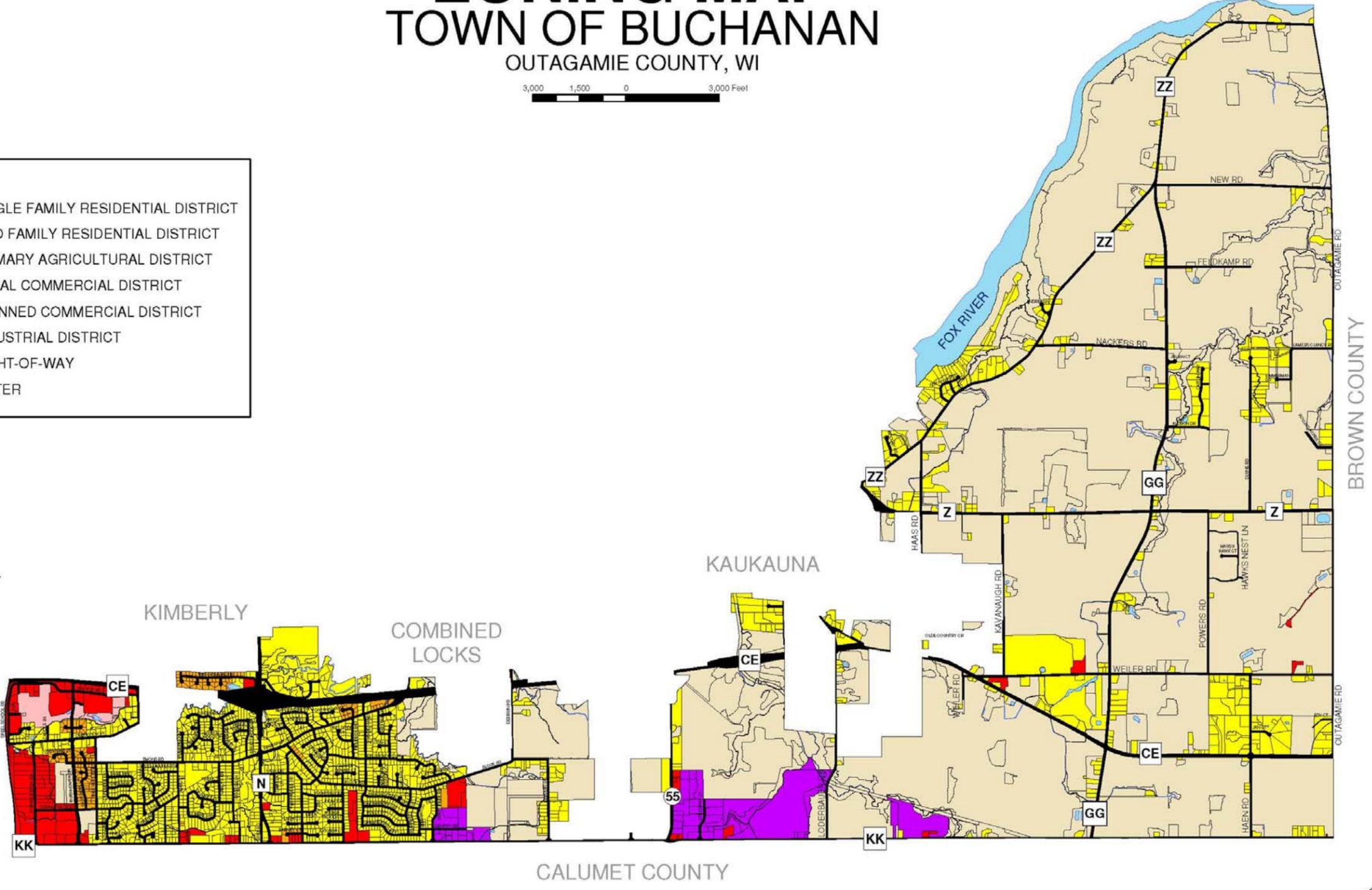
OUTAGAMIE COUNTY, WI

3,000 1,500 0 3,000 Feet

Legend

- SINGLE FAMILY RESIDENTIAL DISTRICT
- TWO FAMILY RESIDENTIAL DISTRICT
- PRIMARY AGRICULTURAL DISTRICT
- LOCAL COMMERCIAL DISTRICT
- PLANNED COMMERCIAL DISTRICT
- INDUSTRIAL DISTRICT
- RIGHT-OF-WAY
- WATER

PROJECT # 141147/147
 DATE: 08/11/2015
 DRAWN BY: J. BUCHANAN
 CHECKED BY: J. BUCHANAN
 ONE SYSTEMS ENGINEERING, INC.
 PHONE: 800.765.8000 FAX: 608.830.0000
 Location: Fish Lake, Buchanan, Wisconsin
 Source: East Central Wisconsin Regional Planning Commission

Trends in Supply, Demand, and Price of Land

Buchanan covers approximately 16.12 square miles or 10,314 acres of land. Presently, a significant portion of the community west of STH 55 has been developed, leaving the eastern half with the greatest potential for future development. Potential areas for development include all lands, beyond wetland and floodplain areas, that are currently either undeveloped (but not part of a residential subdivision or park area), and lands that are being used as cropland.

RESIDENTIAL DEVELOPMENT

Residential development accounts for more than 11% of the land in the Town. By far, most of the nearly 6,800 people who live in the Town are very happy with the quality residential neighborhoods being developed and want to see the current residential housing trends continue.

Official WDOA household projections through 2025 estimate the number of households in the Town will increase to 3,531. That translates into roughly 67 new single-family homes being constructed each year.

One issue that has been raised is the fact that the majority of the local housing supply is single-family homes. People who live in these homes do not want to see the Town overdevelop with multiple family housing (e.g. rental properties, high-density developments, and other “urban” developments found in nearby Cities and Villages). However, there is a growing realization that residents living in Buchanan must be able to live and maintain a single family home on a sizeable lot. If they are not able to handle this responsibility, or if they desire some other type of living (e.g. townhomes, condos, etc.) they have to move to another community unless some new alternative units are built. This situation particularly challenges the elderly.

SUPPLY/TRENDS IN FARMING

The value of farmland in the Town of Buchanan is much less than the value of land sold for residential development. This gap in land values provides a significant incentive for farmers, seeking retirement, to pursue the sale of their land for development rather than try to sell the land for farmland.

At one time, Buchanan was a farming community. As discussed in the Agricultural, Natural and Cultural Resources Element Chapter, most of the farming in the Town has shifted over the years from sizable family farming operations to smaller hobby farms. A few large, continuous areas of farmland are still available, but are difficult to obtain. Farmland is quickly being converted into residential developments.

It is anticipated over the next 20 years, farmland will remain in the Town, but the number of acres will decrease. The farming that does remain will consist of some rented cropland, hobby farms, and larger corporate farms on the eastern most end of the Town. Opportunities are available to include farming areas into conservation subdivisions as discussed in the *Housing Element*.

COMMERCIAL AND INDUSTRIAL DEVELOPMENT

As has been demonstrated throughout this plan, commercial and industrial development represents a small portion of the community. Local resident sentiment would like to see this continue in the future.

Most residents work and shop beyond the Town. However, as the population of Buchanan has increased, some new businesses have opened to provide goods and services to local residents (e.g. Pick n’ Save, Kohl’s, Goodwill, etc.). Commercial areas are concentrated in the western portion of the Town. This pattern is expected to continue, though there is some opportunity for neighborhood services to be developed, particularly around CTH CE and STH 55.

Buchanan’s industrial/manufacturing development has been primarily concentrated near STH 55 and Stoney Brook. There is additional land zoned to accommodate future industrial development requests within the STH 55 area.

DEMAND

Given the Town's desirable subdivisions and location in close proximity to nearby employment centers and commercial areas, the demand for additional housing is expected to increase in the future. Official state population projections support this fact. Land remains available to accommodate new development. As the population of the community increases, the potential also exists for more investment in the commercial areas of the Town. Such areas are located around STH 55 and CTH CE.

Trends in Land and Housing Prices

The Town of Buchanan is considered by many residents to be an ideal place to live. The Town provides convenient highway access for commuters, while still providing attractive commercial areas in the Town. Residents feel Buchanan is a safe, friendly and convenient place to live. These positive attributes create a demand for housing in Buchanan. Land prices in the Town are expected to steadily rise in value as more and more people continue to move to the community to take advantage of its great location, natural resources, and other amenities.

Annexation

In Wisconsin, Cities and Villages cannot instigate annexations. Town landowners have to petition for annexation; then Cities and Villages have to determine whether or not they are willing to annex those parcels.

On April 22, 2004, the Governor signed SB 87 (2003 Wisconsin Act 317), which prohibits a City or Village from annexing any Town territory unless the City or Village agrees to pay the Town, for five years, an amount equal to the property taxes that the Town imposed on that land in the year in which the annexation was finalized.

If the Town of Buchanan is concerned about annexations, the Town should study why residents decide to petition for annexation:

- Do residents want services the Town is unable to provide?
- Does annexation increase the marketability and value of their property?
- Is the annexing municipality more willing than the Town to address their concerns?
- What other issues are involved?

Once the issues have been identified, the Town needs to determine what measures it can, and is willing to take to address those issues. To minimize the potential for annexation, several solutions exist, including:

- Educating landowners about advantages to remaining in the Town in order to prevent annexation.
- Utilizing innovative water and sewer technologies, to ensure that Town development can be served with alternative systems, rather than requiring annexation by adjacent municipalities to extend municipal water and sewer.
- The creative use of a Purchase of Development Rights (PDR) Program. By purchasing the development rights of land adjacent to the Town's common boundaries with Kimberly, Combined Locks and Kaukauna, the bordering land will be less desirable for annexation because its development potential will be gone.
- Obtaining Charter Township status (if this becomes an option in Wisconsin) as a means to protect the Town's boundaries from annexation. As recommended by the Wisconsin Towns Association (and periodically presented to the WI Legislature for consideration), charter townships have their boundaries protected from annexation. Annexation requests would need to be approved by both the Town and the annexing community (i.e. Kimberly, Combined Locks or Kaukauna) before it could be finalized.
- Approval of boundary agreements with Appleton, Kimberly, Combined Locks and Kaukauna.

What's a Growth Boundary?

Growth boundaries between Buchanan and Appleton, Kimberly, Combined Locks and Kaukauna should be first verbally agreed to and then mapped. A growth boundary represents the planned limit of urban growth for a 10 and 20-year period. These growth lines help the Town to plan for its own growth and development, and help limit conflicts between Buchanan, Appleton, Kimberly, Combined Locks and Kaukauna.

Incorporation²

From time to time the concept of incorporation has been raised as a means to prevent annexation. Sections 66.0201 through 66.0211 of the Wisconsin Statutes regulate municipal incorporation -*the process of creating new Villages and Cities from Town territory*. The Department of Administration (DOA) is the administrative agency charged with facilitating the incorporation process. The DOA determines the ability of the territory petitioning for incorporation to meet certain minimum statutory standards and advises the circuit court to either accept or reject the incorporation petition.

Deciding whether or not to attempt incorporation is a decision to be collectively undertaken and financed by citizens residing in the territory under consideration. Citizens need to consider not only whether or not the standards to be initially reviewed by the circuit court can be met, but also whether the territory, level of proposed services and budget, and other relevant issues meet the more difficult statutory standards required to be evaluated by the DOA.

REQUIREMENTS FOR INCORPORATION

- **Characteristics of the Territory.** The entire territory of the proposed Village or City shall be reasonably homogenous and compact, taking into consideration natural boundaries, natural drainage basins, soil conditions, present and potential transportation facilities, previous political boundaries, boundaries of school districts, shopping and social customs.
- An isolated municipality shall have a reasonably developed community center, including some or all of such features as retail stores, churches, post office, telecommunications exchange and similar centers of activity. *For the Town of Buchanan, these amenities are concentrated in the western half of the Town. The western half of the Town meets these requirements, but the eastern half does not. Accordingly, it is difficult for the Town to meet these criteria at this time.*
- **Territory Beyond the Core.** The territory beyond the most densely populated one-half square mile specified in s. 66.0205 (1), or the most densely populated square mile specified in s. 66.0205 (2) shall have an average of more than 30 housing units per quarter section or an assessed value, as defined in s. 66.0217 (1)(a) for real estate purposes, more than 25% of which is attributable to existing or potential mercantile, manufacturing or public utility uses.
- The territory beyond the most densely populated square mile as specified in s. 66.0205 (3) shall have the potential for residential or other urban land use development on a substantial scale within the next 3 years. The Department may waive these requirements to the extent that water, terrain or geography prevents such development.
- If the Town were to make its most developed area (e.g. Area west of STH 55) a Village, the outlying areas of the Town would not be able to meet these criteria. The overall development density is too low, and there is no desire to change this pattern.
- Beyond these two basic criteria, any application submitted to the DOA will also be evaluated based on:
- **Tax Revenue.** The present and potential sources of future tax revenue must appear sufficient to defray the anticipated cost of governmental services at a local tax rate that compares favorably with the tax rate in a similar area for the same level of services.
- **Level of Services.** The level of governmental services desired or needed by the residents of the territory compared to the level of services offered by the proposed Village or City is also considered.
- **Impact on the Remainder of the Town.** The impact, financial and otherwise, upon the remainder of the Town from which the territory is to be incorporated is considered in the application.
- **Impact on the Metropolitan Community.** The effect upon the future rendering of governmental services both inside the territory proposed for incorporation and elsewhere within the metropolitan community is a factor to determine incorporation. There shall be an express finding that the proposed incorporation will not substantially hinder the solution of governmental problems affecting the metropolitan community.

Based on these standards it is not a realistic option for the Town of Buchanan to become a Village. The underlying problem is that if the Town were to see a portion of the community incorporate, outlying areas would not meet the DOA criteria. Moreover, there is not a desire on the part of residents to see the density and type of development needed to meet the DOA criteria in outlying areas. Furthermore, if the Town were to see an area within the community become a Village, that Village, in turn, would pose the same threat of annexation as Kimberly, Combined Locks and Kaukauna do today.

² Text from this section taken from the Wisconsin Department of Administration Web Site, www.doa.state.wi.us

Opportunities for Redevelopment

The Smart Growth Law requires that communities examine opportunities for *re*development of blighted, underdeveloped, or other areas of a community. This is different from opportunities for *new* development on farm fields or lands that have never been built upon. This would involve the revitalization of commercial areas, redevelopment of areas to accommodate different (or more) types of development. In the Town of Buchanan there are limited opportunities for redevelopment. This is due to the fact that most of the development in the Town is new. There are no blighted areas due to the large population increase during the 1990's and the expansion of STH 441.

In general terms, most areas of the Town have experienced relatively new development, making it difficult to determine exact locations for redevelopment. The Town's commercial areas are thriving due to their close proximity to major roadways such as STH 441 and the expanding population of the Fox Valley. Over time, properties will become blighted, with areas of underdevelopment. The Town will encourage the redevelopment of these areas, and will support mixed uses in these areas of redevelopment.

When any redevelopment opportunity arises, the Town will rely on zoning requirements, site plan review, and this plan as tools to oversee these activities.