



CHAPTER #9

EXISTING LAND USE

CHAPTER 9: EXISTING LAND USE

TABLE OF CONTENTS

Introduction	9-1
Existing Land Use Inventory.....	9-2
Land Use Trends.....	9-5
Land Use Density and Intensity	9-6
Land Use Regulations.....	9-7
Town of Buchanan Zoning Ordinance.....	9-7
Extraterritorial Zoning and Plat Review.....	9-9
Outagamie County Flood and Shoreland-Protection Ordinance.....	9-10
Subdivision Regulations	9-10
Trends in Supply, Demand, and Price of Land	9-11
Residential Development.....	9-11
Supply/Trends in Farming.....	9-12
Commercial and Industrial Development	9-12
Demand.....	9-13
Trends in Land and Housing Prices	9-13
Annexation	9-13
Boundary Agreements	9-14
Incorporation.....	9-15
Requirements for Incorporation	9-15
Opportunities for Redevelopment.....	9-16

FIGURES

Figure 9-1: Existing Land Use, 2015	9-5
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TABLES

Table 9-1: Existing Land Use, 2015	9-4
Table 9-2: Residential Density, 2000 and 2010.....	9-6
Table 9-3: Residential Intensity, 2000 and 2015.....	9-6
Table 9-4: Zoning Classifications	9-9
Table 9-5: Building Permits (New Construction), 2004-2015	9-11
Table 9-6: Annexations	9-13

MAPS

Map 9-1: Land Use 2015.....	9-19
Map 9-2: Zoning 2016.....	9-21

CHAPTER 9: EXISTING LAND USE

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 and coordination with other required plan elements. Chapter 10 ends with the Future Land Use Map and a discussion of the future land use categories and future land use projections.

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 interpreted using 2015 aeriels. In order to analyze land use trends, historic land use data derived from 2004 and 2010 aeriels were used as a comparison. Land use information was compiled into general land use categories (Table 9-1) and is further described below.

Agricultural. Agricultural land is broadly classified as land that is used for crop production. Agricultural uses include farming, dairying, pastures, apiculture (bees), aquaculture (fish, mussels), cropland, horticulture, floriculture, viticulture (grapes), silviculture (trees) and animal and poultry husbandry. Agricultural land is divided into two sub-categories: irrigated and non-irrigated cropland. Irrigated cropland is watered by artificial means, while non-irrigated cropland is watered by natural means (precipitation). There is no irrigated cropland in the Town of Buchanan.

Residential. Residential land is classified as land that is used primarily for human inhabitation. Residential land uses are divided into single and two-family residential, farmstead, multi-family and mobile home parks. Single and two-family residential includes single family dwellings, duplexes, and garages for residential use. Within platted subdivisions, residential land use encompasses the entire lot. In rural areas and where lots are typically larger, single family includes the primary residence, outbuildings, and the mowed area surrounding the structures. Single family also includes isolated garages and similar structures on otherwise undeveloped rural lots. Farmsteads include the farm residence, the mowed area between the buildings and the associated outbuildings (barn, sheds, manure storage, abandoned buildings). Multi-family includes apartments of three or more units, condos, room and boarding houses, residence halls, group quarters, retirement homes, nursing care facilities, religious quarters, and the associated parking and yard areas. Mobile home parks are classified as land that is part of a mobile home park. Single standing mobile homes are classified under single family and two-family residential. There are no mobile home parks in the Town of Buchanan.

Commercial. Commercial land uses represent the sale of goods and services and other general business practices. Commercial uses include retail and wholesale trade (car and boat dealers; furniture, electronics and appliance stores; building equipment and garden equipment; grocery and liquor stores; health and personal care stores; gasoline stations; clothing and accessories, sporting goods, hobby, book and music stores; general merchandise; miscellaneous store retailers; couriers; and massagers), services (publishing, motion picture and sound recording, telecommunications, information systems, banks and financial institutions, real estate offices, insurance agencies and carriers, waste management, accommodations, restaurants and drinking places, repair and maintenance, personal and laundry, social assistance, etc.) and other uses (warehousing and automobile salvage and junk yards).

Industrial. Industrial land uses represent a broad category of activities that involve the production of goods. Mining and quarry sites are separated from other industrial uses. Industrial

uses include construction, manufacturing (includes warehousing with factory or mill operation), mining operations and quarries, and other industrial facilities (truck facilities).

Institutional Facilities. Institutional uses are defined as land for public and private facilities dedicated to public services. Institutional land uses include educational facilities (schools, colleges, universities, professional schools), hospitals, assemblies (churches, religious organizations), cemeteries and related facilities, all governmental facilities used for administration (city, village, town halls, community centers, post office, municipal garages, social security and employment offices, etc.), and safety services (police departments, jails, fire stations, armories, military facilities, etc.). Public utilities and areas of outdoor recreation are not considered institutional facilities.

Recreational Facilities. Recreational facilities are defined as land uses that provide leisure activity opportunities for citizens. This category encompasses both active and passive activities. Recreational activities include designated hunting and fishing areas; nature areas; general recreational parks; sports facilities (playgrounds, ball diamonds, soccer fields, tennis courts, etc.); city, county and state parks; fairgrounds; marinas; boat landings; spectator sport venues; hiking trails; mini-golf; bowling; bicycling; skiing; golf courses; country clubs; performing arts centers; museums; historical sites; zoos; amusement parks; gambling venues; and other related activities.

Woodlands. Woodlands are forested areas that are characterized by a predominance of tree cover. Woodlands are divided into two subcategories: general woodlands and planted woodlands. General woodlands are naturally occurring; this category includes forests, woods, and distinguishable hedgerows. Planted woodlands include forestry and timber track operations where trees are typically planted in rows; this category includes tree plantations, orchards and land dedicated to Christmas tree production (nurseries are not included).

Utilities/Communications. Utilities and communications are classified as any land use that aids in the generation, distribution, and storage of electric power (substations and transformers); natural gas (substations, distribution brokers); and telecommunications (radio, telephone, television stations and cell towers). It also includes facilities associated with water distribution (water towers and tanks), water treatment plants, wastewater processing (plants and lift stations), landfills (active and abandoned), and recycling facilities.

Water Features. Water features consist of all surface water including lakes, streams, rivers, ponds, and other similar features. Intermittent waterways are also incorporated into this category.

Open Other Land. This category includes land that is currently vacant and not developed in a manner similar to the other land use categories described within this section. Open land includes areas that are wet, rocky, or outcrop; open lots in a subdivision; or rural parcels and side or back lots on a residential property that are not developed.

Transportation. Transportation includes land uses that directly focus on moving people, goods, and services from one location to another. Transportation uses include highway and street rights of way, support activities for transportation (waysides, freight weigh stations, bus stations, taxi, limo services, park and ride lots), rail related facilities, and other related categories. Airports are included under transportation and consist of paved areas that are dedicated specifically to air traffic.

Developed land has been altered from its natural state to accommodate human activities. Although agricultural areas are considered undeveloped by land classification systems, these uses have different impacts on land use decisions than urbanized uses; thus, agricultural uses have been separated to obtain an accurate total of all related activities. In addition, residential land uses have been divided according to their specific category: single family residential, farmsteads, multi-family residential and mobile home parks. Single family residential land use includes single family dwellings and duplexes.

The Town of Buchanan encompasses approximately 9,947 acres. Over 28 percent (2,802.3 acres, 28.2%) of the land within the Town is developed (Table 9-1, Figure 9-1 and Map 9-1). About three-quarters of the developed uses in the Town include single-family residential (1,385.5 acres, 49.4%) and transportation (627.4 acres, 22.4%).

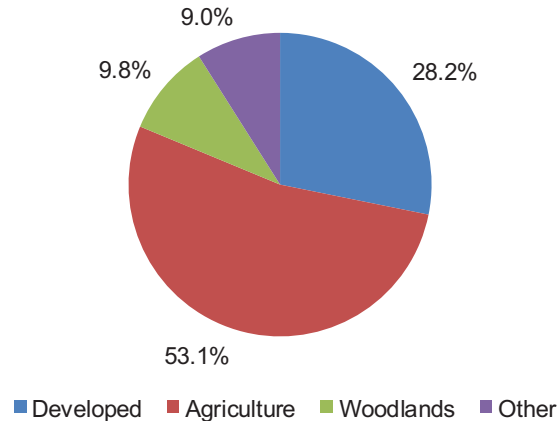
Table 9-1: Existing Land Use, 2015

Land Use	Total Acres	Percent of Developed Land	Percent of Total
Single Family Residential	1,385.5	49.4%	13.9%
Farmsteads	194.1	6.9%	2.0%
Multi-Family	23.4	0.8%	0.2%
Mobile Home Parks	0.0	0.0%	0.0%
Commercial	236.0	8.4%	2.4%
Industrial	60.6	2.2%	0.6%
Recreational Facilities	249.2	8.9%	2.5%
Institutional Facilities	16.9	0.6%	0.2%
Utilities / Communications	9.1	0.3%	0.1%
Transportation	627.4	22.4%	6.3%
Total Developed	2,802.3	100.0%	28.2%
Non-Irrigated Farmland	5,279.8		53.1%
Planted Woodlands	46.6		0.5%
General Woodlands	924.3		9.3%
Quarries	0.0		0.0%
Other Open Land	562.9		5.7%
Water Features	331.7		3.3%
Total Acres	9,947.4		100.0%

Source: East Central Wisconsin Regional Planning Commission, 2015

Figure 9-1: Existing Land Use, 2015

Other residential uses (farmstead and multi-family; 217.5 acres, 7.7%), commercial (236.0 acres, 8.4%), industrial (60.6 acres, 2.2%), recreational facilities (249.2 acres, 8.9%), institutional facilities (16.9 acres, 0.6%) and utilities/communications (9.1 acres, 0.3%) make up the remaining developed land uses.



Source: East Central Wisconsin Regional Planning Commission, 2015

Cropland (5,279.8 acres, 53.1%), residential (1,603.0 acres, 16.1%) and woodlands (970.9 acres, 9.8%) make up about 79 percent of the overall land use in the Town. Over developed uses, other open land and water features make up the remaining 30 percent.

Land Use Trends

Land Use and the Town's borders have changed over time (Appendix E, Table E-1). Between 2004¹ and 2015, the Town of Buchanan lost about 367 acres or about 3.6 percent of its land through annexations. Parcels of land were lost to the Village of Combined Locks (Kimberly High School and area south and near the Coonen Subdivision) and the City of Kaukauna.

The largest losses were seen in the farmland (479 acres), other open land (137 acres), transportation (68 acres) and industrial (45 acres). Gains were seen in single-family residential (215 acres), commercial (103 acres) and recreational (36 acres). A comparison of the 2004 and 2015 land use map shows that residential development has mainly been occurring in the eastern part of the Town. While commercial development has occurred near the northeast corner of CTH KK and STH 55. One reason for the change in industrial land use may be due to a reclassification of a parcel used by KK Auto Salvage & Parts and Theimer's Auto from industrial to commercial.

¹ 2004 land use taken from the Town of Buchanan Comprehensive Plan 2025. It was assumed that the land use categories could be broken down into the same categories that are used for this comprehensive plan. Therefore, Race Track (WIR) was included under Recreational Facilities, Cemeteries were included under Institutional Facilities, Roads were assumed to be equal, and woodlands are lumped under general since no distinction was made between planted and general.

Land Use Density and Intensity

Density is broadly defined as a “number of units in a given area²”. For the purposes of this report, residential densities are defined as the number of housing units per square mile of total land area (units/square mile), excluding water. Between 2000 (112.6 units/sq. mile) and 2010 (160.0 units/sq. mile), residential densities increased in the Town of Buchanan, Town of Harrison, City of Kaukauna, Village of Combined Locks and Outagamie County. While at the same time, residential densities decreased in the Village of Kimberly. The reason that the density in Kimberly could have decreased is because the village was annexing undeveloped land from the Town of Buchanan and that residential development may not have occurred yet.

Table 9-2: Residential Density, 2000 and 2010

MCD	2000			2010		
	Land Area in Sq. Miles	Total Units	Units/Sq. Mile	Land Area in Sq. Miles	Total Units	Units/Sq. Mile
T. Buchanan	16.59	1,868	112.6	15.34	2,453	160
T. Harrison	33.51	2,139	63.8	31.93	3,801	119
V. Combined Locks	1.52	903	593.3	1.7	1,263	741
V. Kimberly	1.88	2,593	1,377.90	2.26	2,871	1,268.70
C. Kaukauna	6.2	5,142	828.8	7.66	6,596	860.8
Outagamie County	640.34	62,614	97.8	637.52	73,149	114.7

Source: U.S. Census 2000 & 2010, SF1 GCT-PH1

Intensity is the degree of activity associated with a particular land use. Therefore intensity is defined as the measure of the units per acre of residential development. Due to the limited availability of information, this plan will compare the intensities of single-family versus multi-family development in the Town of Buchanan. To calculate land intensities, the categories (as defined by East Central) of single and two-family (duplexes) residential, farmsteads, and mobile homes were all classified as “single-family.” Buildings consisting of three or more units were classified as “multi-family.”

Table 9-3: Residential Intensity, 2000 and 2015

	2000			2015		
	Units	Acres	Units/Acre	Units	Acres	Units/Acre
Single-Family	1,832	1,593.8	1.1	2,387	1,579.6	1.5
Multi-Family	22	26.5	0.8	292	23.4	12.5

Source: U.S. Census 2000, SF 3; ACS 5-Yr. Estimates, 2011-2015, DP04; ECWRPC 2017

Note: ACS 2011-2015 estimates used for 2015, therefore accuracy and reliability decrease, MOE not included

² Measuring Density: Working Definitions for Residential Density and Building Intensity, November 2003. Design Center for American Urban Landscapes, University of Minnesota.

Between 2000 and 2015, residential single-family land use intensities are estimated to have increased from about 1.1 units/acre to 1.5 units/acre. Multi-family land use intensities are also estimated to have increased from 0.8 units/acre to 12.5 units/acre. It is important to note that while the 2000 land use intensity is based on a single point in time, the 2015 land use intensities are based instead on a five year estimate.

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 Euclidean³ 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

³ 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.

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.

A summary of the zoning districts and purposes are provided below. A more detailed breakdown of the zoning districts are found in Appendix E, Table E-2.

Exclusive Agricultural District (AED). Maintain highly productive agricultural lands in agricultural production by effectively limiting encroachment of nonagricultural development; by minimizing land use conflicts between agricultural and nonagricultural uses; and by minimizing public service and facility costs associated with nonagricultural development.

General Agricultural District (AGD). Maintain open land areas predominantly devoted to farming and agricultural related uses.

Single-Family Residential District (RSF). Provide for single-family detached residential development.

Residential Two-Family District (RTF). Provide for medium density residential development with emphasis on two-family and single-family attached residential uses.

Multi-Family Residential District (RMF). Provide for medium- to high-density residential areas with emphasis on multifamily or apartment development. Requires access to public sewer.

Local Commercial District (CL). Applies to commercial establishments located to serve primarily localized commercial markets throughout the Town. It is the intent of this district to encourage grouping of such commercial establishments. The district is not intended to apply to major or large-scale commercial establishments of a regional character.

Regional Commercial District (CR). Applies to areas which are now intensely developed or are expected to be intensely developed for commercial uses serving a regional commercial market.

Planned Commercial District (CP). Applies to large-scale commercial developments with either single or multiple buildings on a single lot or parcel designed and managed as a single entity.

Industrial District (IND). Primarily for manufacturing and closely related uses. It is intended to preserve such lands for the functions of industrial activity, wholesaling, warehousing and distribution.

Table 9-4 (Map 9-2) provides a breakdown of the different zoning districts found in the Town of Buchanan. The predominant zoning district in the Town is General Agricultural. This category comprised 84.1 percent of the area in the Town of Buchanan. Single-family residential was the next largest area in the Town (8.4%), followed by industrial (2.8%) and local commercial (2.3%).

Table 9-4: Zoning Classifications

Zoning Classification	Acres	Percent
Exclusive Agricultural District (AED)	0.0	0.0%
General Agricultural District (AGD)	7,622.6	84.1%
Single-Family Residential District (RSF)	804.0	8.9%
Two-Family Residential District (RTF)	81.9	0.9%
Multi-Family Residential District (RMF)	28.3	0.3%
Local Commercial District (CL)	206.7	2.3%
Regional Commercial District (CR)	0.0	0.0%
Planned Commercial District (CP)	65.1	0.7%
Industrial District (IND)	251.1	2.8%
Total	9,059.7	100.0%

Source: Outagamie County, 2016

Extraterritorial Zoning and Plat Review

Currently, none of the surrounding communities have extraterritorial 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 extraterritorial limits. To develop an extraterritorial zoning ordinance with jurisdiction in the Town of Buchanan, a Joint Extraterritorial 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.

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.

Kimberly, Combined Locks, Kaukauna and Harrison do not have 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.

Outagamie County Flood and Shoreland-Protection Ordinance (Chapters 24 and 44)

The Outagamie County Flood Ordinance and Shoreland Protection Ordinance most recent amendments respectively were adopted on July 18, 2010 and December 13, 2016. The floodplain and “shoreland” areas in all towns surrounding Buchanan are regulated by Outagamie, Brown, or Calumet County ordinances. The Outagamie County Flood and Shoreland Protection ordinances are 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 Outagamie County Flood Insurance Study dated July 22, 2010.

The Shoreland Protection 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 FH-800 2009 "Wisconsin Lakes" book.

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;
- Lessen 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 Town of Buchanan has a separate subdivision ordinance. This 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 Town ordinance also includes provisions for cluster developments (e.g. conservation subdivisions).

TRENDS IN SUPPLY, DEMAND, AND PRICE OF LAND

Buchanan covers approximately 15.68 square miles⁴ or 9,947 acres⁵ 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.

According to the Outagamie County Annual Growth Reports, 141 permits for new residential construction were issued in the Town of Buchanan between 2004 and 2015 (Table 9-5). On average 11.8 building permits were issued per year. The majority of permits were issued for single family construction. During the time period 112 permits were issued for commercial construction. On an average 9.3 permits for year were issued for commercial construction. By far, 2015 experienced the largest number of new commercial building permits (63), than any other year.

Table 9-5: Building Permits (New Construction), 2004-2015

Year	SF (Bldg.)	2F (Bldg.)	MF (Bldg./Units)	Total Residential (Bldg./Units)	Commercial
2004	17	1	0	18(19)	2
2005	11	1	0	12(13)	4
2006	10	1	0	11(12)	8
2007	10	0	0	10	7
2008	8	0	0	8	0
2009	9	0	0	9	8
2010	12	0	9 (66)	21(99)	1
2011	7	0	0	7	4
2012	11	2	0	13(15)	6
2013	11	1	0	12(13)	9
2014	15	0	1(?)	16(?)	0
2015	4	0	0	4	63

Source: Outagamie County Annual Growth Report, 2005 - 2016

Residential Development

Residential development accounts for more than 13.9% of the land in the Town. By far, most of the nearly 6,916⁶ 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.

⁴ U.S. Census, 2010, SF 1, Table GCT-PH1.

⁵ ECWRPC 2015 Land Use.

⁶ WDOA, 2016 Estimate.

Official WDOA household projections through 2040 estimate the number of households in the Town will increase to 3,965. That translates into roughly 52 new housing units being constructed each year.

The majority of the local housing supply is single-family detached homes (78.9%)⁷. 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. 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.

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.

Many residents work and shop outside of the Town. However, as the population of Buchanan has increased, a number of 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 developed along CTH KK.

⁷ U.S. Census 2011-2015 ACS 5-Year Estimates, DP04.

Buchanan’s industrial/manufacturing development has been primarily concentrated near STH 55 and Stoney Brook Road. 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 KK.

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.

Since 2001, the Town has lost about 806 acres (Table 9-6) due to annexations to the cities of Appleton and Kaukauna and the Villages of Kimberly and Combined Locks. While some of these annexations have been for larger parcels, some have

Table 9-6: Annexations

Year	Acres
2016	30.0
2015	12.9
2014	0.0
2013	2.9
2012	0.0
2011	59.2
2010	0.0
2009	16.5
2008	8.4
2007	1.9
2006	117.3
2005	30.0
2004	82.1
2003	247.2
2002	110.5
2001	86.8
Total	805.6

Source: WDOA,
Accessed 11/13/17

been for smaller, probably individual lots. Currently the Town has boundary agreements with the Villages of Combined Locks and Harrison.

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?

BOUNDARY AGREEMENTS

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. Currently the Town has boundary agreements with the Villages of Kimberly, Combined Locks and Harrison.

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 and Kaukauna.

INCORPORATION⁸

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 Incorporation⁹

- 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 Board may waive these requirements to the extent that water, terrain or geography prevents such development.

⁸ Text from this section taken from the Wisconsin Department of Administration Web Site, www.doa.state.wi.us.

⁹ Wisconsin State Statutes 66.207.

- 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.

OPPORTUNITIES FOR REDEVELOPMENT

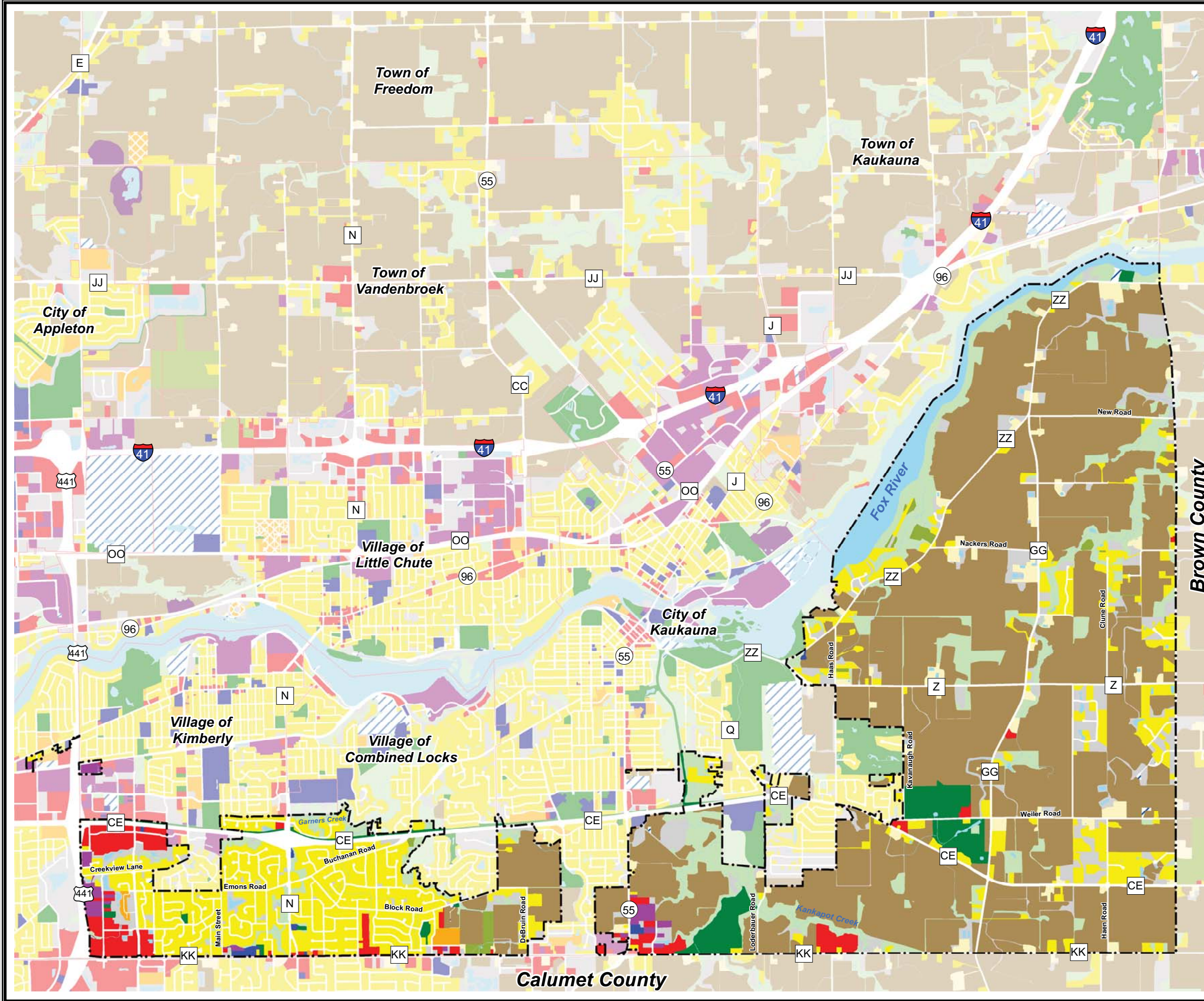
The Smart Growth Law requires that communities examine opportunities for redevelopment of blighted, underdeveloped, or other areas of a community. This is different from opportunities for new development on farm fields or lands that have never been built upon. This would involve the revitalization of 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.

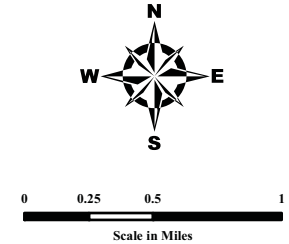
When any redevelopment opportunity arises, the Town will rely on zoning requirements, site plan review, and this plan as tools to oversee these activities.

Map 9-1 Town of Buchanan Comprehensive Plan Update Land Use 2015



- Single Family Residential
- Farmsteads
- Multi-Family
- Mobile Home Parks
- Commercial
- Industrial
- Quarries
- Institutional Facilities
- Transportation
- Utilities/Communications
- Non-Irrigated Cropland
- Irrigated Cropland
- Other Ag Land / Pasture
- Recreational Facilities
- Planted Woodlands
- General Woodlands
- Open Other Land
- Water

Source:
Base data: Outagamie County, 2016
Existing Land Use: ECWRPC, 2015



This data was created for use by the East Central Wisconsin Regional Planning Commission Geographic Information System. Any other use/application of this information is the responsibility of the user and such use/application is at their own risk. East Central Wisconsin Regional Planning Commission disclaims all liability regarding fitness of the information for any use other than for East Central Wisconsin Regional Planning Commission business.

PREPARED JUNE 2018 BY:
 East Central Wisconsin Regional Planning Commission
ECWRPC



APPENDIX E

LAND USE

APPENDIX E: LAND USE

TABLE OF CONTENTS

Table E-1: Land Use Trends, 2004 to 2015.....	E-1
Table E-2: Town of Buchanan Zoning Classifications.....	E-2

Table E-1: Land Use Trends, 2004 to 2015

Land Use	2004			2010			2015			Change 2004 to 2015		
	Total Acres	Percent of Developed Land	Percent of Total	Total Acres	Percent of Developed Land	Percent of Total	Total Acres	Percent of Developed Land	Percent of Total	Total Acres	Percent of Developed Land	Percent of Total
Single Family Residential	1,170.9	45.5%	11.4%	1,310.8	47.3%	13.0%	1,385.5	49.4%	13.9%	214.6	3.9%	2.6%
Farmsteads	181.4	7.0%	1.8%	191.9	6.9%	1.9%	194.1	6.9%	2.0%	12.8	-0.1%	0.2%
Multi-Family	13.1	0.5%	0.1%	23.4	0.8%	0.2%	23.4	0.8%	0.2%	10.4	0.3%	0.1%
Mobile Home Parks	0.2	0.0%	0.0%	0.0	0.0%	0.0%	0.0	0.0%	0.0%	-0.2	0.0%	0.0%
Commercial	133.1	5.2%	1.3%	218.9	7.9%	2.2%	236.0	8.4%	2.4%	102.9	3.3%	1.1%
Industrial	106.0	4.1%	1.0%	63.0	2.3%	0.6%	60.6	2.2%	0.6%	-45.4	-2.0%	-0.4%
Recreational Facilities	213.5	8.3%	2.1%	213.5	7.7%	2.1%	249.2	8.9%	2.5%	35.8	0.6%	0.4%
Institutional Facilities	44.0	1.7%	0.4%	48.2	1.7%	0.5%	16.9	0.6%	0.2%	-27.2	-1.1%	-0.3%
Utilities / Communications	17.6	0.7%	0.2%	17.1	0.6%	0.2%	9.1	0.3%	0.1%	-8.5	-0.4%	-0.1%
Transportation	694.1	27.0%	6.7%	683.2	24.7%	6.8%	627.4	22.4%	6.3%	-66.7	-4.6%	-0.4%
Total Developed	2,573.9	100.0%	25.0%	2,770.1	100.0%	27.5%	2,802.3	100.0%	28.2%	228.4		3.2%
Non-Irrigated Farmland	5,759.2		55.8%	5,424.7		53.8%	5,279.8		53.1%	-479.4		-2.8%
Planted Woodlands	0.0		0.0%	43.9		0.4%	46.6		0.5%	46.6		0.5%
General Woodlands	1,003.6		9.7%	929.9		9.2%	924.3		9.3%	-79.3		-0.4%
Quarries	0.0		0.0%	0.0		0.0%	0.0		0.0%	0.0		0.0%
Other Open Land	699.6		6.8%	591.2		5.9%	562.9		5.7%	-136.8		-1.1%
Water Features	278.1		2.7%	326.5		3.2%	331.7		3.3%	53.6		0.6%
Total Acres	10,314.39		100.0%	10,086.3		100.0%	9,947.43		100.0%	-367.0		0.0%

Source: East Central Wisconsin Regional Planning Commission, 2010 and 2015. Town of Buchanan Comprehensive Plan 2025, 2004.

Note: 2004 land use did not distinguish between planted and general woodlands.

Table E-2: Town of Buchanan Zoning Classifications

District Name	Permitted Principal Uses & Structures		Min. Lot Size	Min. Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback
Exclusive Agricultural District (AED)	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, and 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 adoption of this chapter which are not necessary to or associated with agricultural uses, farm residences or structures which existed prior to the effective date of adoption of this chapter may be separated from the larger farm parcel and kennels and pet shops.	Principal Ag. Uses	35 Acre	None	None	None	None
		Pre-existing dwelling/structures on a separate parcel.	20,000 sq. ft.	100 ft.	25 ft.	15 ft.	25 ft.
		Other	1 acre	150 ft.	40 ft.		40 ft.
General Agricultural District (AGD)	Permitted principal uses and structures of the AED District, public and semipublic nonprofit institutional uses of a similar nature, parks, preserves and golf courses, and single-family detached dwellings unrelated to any farm operations.	Principal Ag. Uses	4 acres	200 ft.	25 ft.	None	None
		Single-Family/Mobile Home	1 acre	150 ft.	30 ft.	20 ft.	30 ft.
		Other	1 acre	150 ft.	25 ft.	30 ft.	50 ft.

Source: Town of Buchanan Municipal Cod; includes legislation adopted through 3/14/17.

Table E-2: Town of Buchanan Zoning Classifications (Continued)

District Name	Permitted Principal Uses & Structures		Min. Lot Size	Min. Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback
Single-Family Residential District (RSF)	Single-family detached dwellings, public and semipublic nonprofit institutional uses (churches, schools, libraries and the like), parks, playgrounds, golf courses and community centers, community living arrangements and day care (family).	Within an approved subdivision served by public sewer	10,000 sq. ft.	90 ft.	25 ft.	6 ft.	25 ft.
		Not within an approved subdivision, but served by public sewer	9,000 sq. ft.	75 ft.	25 ft.	7 ft.	25 ft.
		Within an approved subdivision, not served by public sewer	15,000 sq. ft.	90 ft.	25 ft.	8 ft.	35 ft.
		Not within an approved subdivision, not served by public sewer	18,000 sq. ft.	100 ft.	25 ft.	10 ft.	40 ft.
Residential Two-Family District (RTF)	Single-family detached dwellings, public and semipublic nonprofit institutional uses (churches, schools, libraries and the like), parks, playgrounds, golf courses and community centers, community living arrangements and day care (family), two-family dwellings served by a public sewer system, and single-family attached dwellings served by a public sewer system.	Single-family detached dwellings	Same as RSF District				
		Two-family dwellings served by public sewer/water	. ft. (4,500 sq. ft.)	75 ft.	25 ft.	8 ft.	25 ft.
		Two-family dwellings/ not served by public sewer	18,000 sq. ft.	100 ft.	25 ft.	10 ft.	40 ft.
		Single-family attached dwellings	12,000 sq. ft.	100 ft.	25 ft.	10 ft.	25 ft.
Multifamily Residential District (RMF)	Single-family detached dwellings, public and semipublic nonprofit institutional uses (churches, schools, libraries and the like), parks, playgrounds, golf courses and community centers, community living arrangements and day care (family), two-family dwellings, single-family attached dwellings and multifamily dwellings not exceeding three stories in height.	Single-family detached dwellings	Same as RSF District				
		Two-family dwellings	Same as RTF District				
		Single-family attached dwellings	Same as RTF District				
		Multifamily dwellings not exceeding 3 stories or 45 ft. in height	density of 20 dw	90 ft.	25 ft.	20 ft.	25 ft.
		Multifamily dwellings exceeding 3 stories or 45 ft. in height	20,000 sq. ft.	100 ft.	25 ft.	25 ft.	25 ft.

Source: Town of Buchanan Municipal Cod; includes legislation adopted through 3/14/17.

Table E-2: Town of Buchanan Zoning Classifications (Continued)

District Name	Permitted Principal Uses & Structures		Min. Lot Size	Min. Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback
Local Commercial District (CL)	Retail outlets, service establishments, business and professional offices, taverns, restaurants, hotels, motels, clubs, organizations, indoor commercial recreational establishments, convalescent homes, nursing homes, day care (family or group), office equ, storage establishments and attached single-family residences.	Permitted principal uses and structures	10,000 sq. ft.	90 ft.	35 ft.	20 ft.	50 ft.
		Special exception uses and structures	12,000 sq. ft.	100 ft.	35 ft.	25 ft.	50 ft.
Regional Commercial District (CR)	Retail outlets, service establishments, business and professional offices, taverns, restaurants, hotels, motels, clubs, organizations, indoor commercial recreational establishments, convalescent homes, nursing homes, day care (family or group), office equipment and supplies, garden center, plant nursery or landscape contractor, veterinary offices, mortuaries, equipment rental, existing dwellings.		12,000 sq. ft.	100 ft.	35 ft.	20 ft.	50 ft.
Planned Commercial District (CP)	Business and 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 and vocational, trade or business schools.		2 acres	None	None	None	None
Industrial District (IND)	Wholesaling, warehouse, storage or distribution establishments, automobile, boat, construction and farm implement sales, service and repair, printing, publishing, agriculture-related uses, service establishments catering to commercial and industrial uses, light manufacturing uses, manufacturing uses, building contractor with storage yard and transportation terminals.		12,000 sq. ft.	100 ft.	35 ft.	20 ft.	25 ft.

Source: Town of Buchanan Municipal Cod; includes legislation adopted through 3/14/17.