6       Land Use Analysis

6.1       Introduction

Land use is a means of broadly classifying different types of activities relating to how land is used. Each type of use has its own characteristic that can determine compatibility, location and preference to other land uses in the town. The land use plan brings together consideration for both the physical development as well as the social characteristics of the town.

To arrive at an optimum plan that will be both effective and implemented, the plan must account for past development activity as well as current market factors and conditions that shape land use. Because land use is a people-orientated process, personal opinions and desires, attitudes, legal and political considerations all have land use impacts. To adequately consider the preparation of a land use plan, these factors must be considered. Some of these aspects have been discussed in earlier sections and will be used as reference. Other aspects will be discussed as the land use plan is developed.

This section includes an inventory and analysis of:

- Existing land use.
- Existing development reputation.
- Recent land sales.
- Existing and potential land use conflicts.

6.2       Existing Land Use Inventory and Analysis

The first step in the land use analysis process was to conduct an inventory of existing uses. In the case of the town of Fountain Prairie, the existing land use situation is somewhat simplified by the general dominance of cropped farmlands, woodlands, and open spaces as the dominant land uses. The primary purpose of this inventory is to accurately determine Fountain Prairie’s present land use situation. The land use inventory classified land uses into 14 categories, which are described in detail in Appendix 6-1, Existing Land Use Classification System.

The results of the town of Fountain Prairie survey of residents and landowners conducted in February of 1997 revealed a general concern that new development could pose a threat to a farmers "right-to-farm". This process also identified concern over preserving the town’s rural character and keeping agricultural lands in agricultural use. Therefore, the land use inventory conducted as part of this planning effort was specific to separate farming operations (farms and farmsteads) from residential use, and specific attention was given to cropped farmland land uses.
Aerial photographs (1:19,992 scale) taken in 1995 were interpreted to determine the type of use on a town-wide basis. Areas classified as "cropped farmland" were further determined by review of the USDA Farm Service Agency’s section maps for the town of Fountain Prairie on which all cropped lands within the town are delineated, current as of 1996. Areas classified as "open space" are primarily wetland areas. Forested wetlands capable of producing a marketable tree crop were classified as "woodlands".

Land uses determined from the aerial photos and review of the USDA maps were mapped and further updated by the Town of Fountain Prairie Land Use Management Group. The end result of this process was the inventory of existing land uses shown on Map 6-1. Acreage totals for each land use type were then calculated and are presented as part of Table 6-1 and associated Figure 6-1. It should be noted that Map 6-1 represents a snapshot in time; and therefore, will need to be updated to reflect current conditions and to evaluate how the plan is being implemented.

**Table 6-1**

**Town of Fountain Prairie**

**Existing Land Use and Acreage**

**1999**

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Acreage</th>
<th>Percent of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Residential</td>
<td>309.9</td>
<td>1.4%</td>
</tr>
<tr>
<td>Active Farms</td>
<td>229.8</td>
<td>1.0%</td>
</tr>
<tr>
<td>Potential Farms</td>
<td>82.4</td>
<td>0.4%</td>
</tr>
<tr>
<td>Commercial</td>
<td>5.9</td>
<td>&lt;0.1%</td>
</tr>
<tr>
<td>Vacant Commercial</td>
<td>5.3</td>
<td>&lt;0.1%</td>
</tr>
<tr>
<td>Industrial</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Government/Public/Institutional</td>
<td>0.4</td>
<td>&lt;0.1%</td>
</tr>
<tr>
<td>Cemetery</td>
<td>5.4</td>
<td>&lt;0.1%</td>
</tr>
<tr>
<td>Private Sportsmen’s Club</td>
<td>1.6</td>
<td>&lt;0.1%</td>
</tr>
<tr>
<td>Woodlands</td>
<td>2,324.3</td>
<td>10.4%</td>
</tr>
<tr>
<td>Cropped Farmland</td>
<td>15,178.8</td>
<td>67.8%</td>
</tr>
<tr>
<td>Utilities</td>
<td>0.5</td>
<td>&lt;0.1%</td>
</tr>
<tr>
<td>Land Use Category</td>
<td>Acreage</td>
<td>Percent of Total</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>---------</td>
<td>------------------</td>
</tr>
<tr>
<td>Vacant/Open Space (Non-Cropland)</td>
<td>3,368.6</td>
<td>15.0%</td>
</tr>
<tr>
<td>Surface Water</td>
<td>292.2</td>
<td>1.3%</td>
</tr>
<tr>
<td>Right-of-Way</td>
<td>592.3</td>
<td>2.6%</td>
</tr>
<tr>
<td>Total</td>
<td>22,397.4</td>
<td>100.0%</td>
</tr>
</tbody>
</table>
As can be observed from Table 6-1 and Figure 6-1, cropped farmland is the largest land use category with 67.8% or 15,178.8 acres within the town. Second, is vacant/open space land occupying 15.1% or 3,373.1 acres. Cropped farmlands, woodlands, surface water and open space/vacant areas account for a combined 21,169.4 acres or 94.5% of the town's acreage. This data enforces the fact that Fountain Prairie is indeed a rural agricultural community.

**Figure 6-1**
**Existing Land Use**
**Town of Fountain Prairie**
**1998**

- Intensive Uses (626.8 ac) *
- Vacant/Open Space (3,373.1 ac)
- Woodlands (2,325.3 ac)
- Surface Water (292.2 ac)
- Cemetery (5.4 ac)
- Private Sport Club (1.6 ac)
- Cropped Farmland (15,178.8 ac)
- Right-of-Way (592.3 ac)

* Intensive Uses includes the following land use categories: Single Family Residential, Active Farms, Potential Farms, Commercial, Vacant Commercial, Industrial, Government/Public/Institutional, and Utilities.
The following analyzes the major existing land uses in the town in detail, as illustrated on Map 6-1.

**Residential/Farms**

Residential development is scattered throughout the town with concentrated residential development located along the shorelines of Lazy Lake. Overall, there are 309 acres of non-farm, single family residential uses in the town and another 312 acres which is comprised of active and potential farms. The delineated residential and farm sites shown on Map 6-1 include the place of residence, support buildings, lawns, animal feedlots, and other improved areas.

**Other Intensive Uses**

**Commercial/Industrial**

Commercial/industrial land uses are limited to four isolated locations totaling approximately 11.2 acres. The uses consist of:

- Home-based repair business along Fields Road along the C.P.R.S. railroad track.
- Chiropractic and mini-storage businesses located at the McCrae Road and State Highway 16 intersection.
- Restaurant located on Seier Road.
- A 5.3 acre vacant commercial/industrial site along State Highway 16, about 1.5 miles west of the village of Fall River, which contains an abandoned plastic factory.

A motel that previously operated at the intersection of State Highways 16 and 146 has been converted to residential use.

**Utilities/Communications**

Utilities/communication facilities consume only 0.5 acres of land and are located adjacent to the C.P.R.S. railroad track along I-146 (see Map 6-1).

**Government/Public/Institutional**

The town hall, located near the intersection of CTH "CD" and CTH "Z", is the only town governmental facility. The town hall occupies approximately 0.5 acres.
Cemetery

There are three small cemeteries in the town of Fountain Prairie which are located at the I-146 and CTH “Z” intersection, along I-146 near the C.P.R.S. railroad track, and at the CTH “D” and Lienke Road intersection.

Parks and Recreation

There are no public park and recreational lands within the town. However, a private sportsmen’s club is located in the southwestern portion of the town (see Map 6-1).

Cropped Farmlands

Cropped farmland comprises the greatest amount of acreage (15,178 acres or 67.8%) in the town of Fountain Prairie. Within this category, large tracts of uninterrupted farmland exist throughout the entire town.

Woodlands

Woodland areas are scattered throughout the town with the largest concentration occurring along and near town surface water features. Approximately 2,325 acres of the town (10.4%) is covered by woodlands.

Surface Water

Surface water features in the town include Lazy Lake, North Branch of the Crawfish River, and other smaller streams and ponds. These areas comprise a total of approximately 292 acres within the town.

Open Space/Vacant and Roads

Open space/vacant areas comprise the second largest use of land within the town totaling approximately 3,373 acres (15.1%). Local roads, highways, and railroads consume an additional 592 acres of town land.

Much like the woodlands, open space areas are scattered throughout the town. These areas are strongly associated with wetlands. Forested wetlands capable of producing a timber crop have been classified as woodlands. The largest contiguous tracts of open space are found along and near town surface water features.
6.3 Development Regulations

The *Fountain Prairie Year 2020 Land Use Plan* serves as a guide for updating current development regulations and adopting new regulations necessary to implement the plan. Therefore, the land use plan needs to consider existing development regulations such as zoning and land division codes that currently control development and site design. This information is used in part to develop the implementation strategy presented in Section 10 of the *Year 2020 Land Use Plan*.

A general description of existing land use controls (as of October 1999) pertaining to Fountain Prairie is presented below. It should be noted that this summary is not intended to discuss all the applicable provisions of the stated ordinances. For more information, the reader must consult the applicable ordinance.

**Columbia County Zoning Regulations**

Under Wisconsin Statutes, counties and local units of government are authorized to adopt "zoning" ordinances. Zoning is a method for implementing or carrying out the "land use plan" by predetermining a logical pattern of land use development.

A zoning ordinance consists of a map and a written text. The zoning map arranges the community into districts or zones...conservancy, agriculture, residential, commercial, industrial, etc. Within each of these districts, the text of the zoning ordinances specifies the permitted land uses, the size of buildings, yard/lot dimensions, and other prerequisites in obtaining permission to develop. The goal of the zoning ordinance is to secure a reasonable development pattern by keeping similar and related uses together and separating dissimilar, unrelated and incompatible uses; particularly in relationship to transportation facilities, utilities and public services and facilities.

A county may promulgate a zoning ordinance as described above for the unincorporated areas of the county, that is, outside the corporate boundaries of cities and villages, but it is only effective if a town adopts it for application to its jurisdiction. Columbia County developed a zoning ordinance, which was adopted by the town on December 6, 1961. The County’s zoning ordinance identifies nine land use districts (types):

- Single-Family Residence District
- Multiple Family Residence District
- Agricultural District (Exclusive Agriculture)
- Agricultural District No. 2
- Marina District
- Recreation District
- Commercial District
- Highway Interchange District
- Industrial District
Map 6-2 shows the types and locations of districts are designated within Fountain Prairie. As Map 6-2 indicates, not all of the above districts are found in the town. A general description of the applicable county zoning districts within the town is provided below:

**Agriculture District** - This district covers approximately 22,135 acres, or 98%, of the land area of the town. The purpose of this district is as follows:

"This district is to provide for the preservation, maintenance, and enhancement of agriculture, forestry and natural areas for the benefit of farm operators and the general public in terms of continued production of food and fiber and environmental quality. Except for continuation of preexisting uses, this district will allow very few non-agricultural uses or developments, and rezonings will be approved only where surrounding land uses have made continued farming, forestry, or natural uses infeasible, or where specific findings indicate a rezoning is consistent with the standards of Section 91.77 (1), Wisconsin Statutes, the Columbia County Farmland Preservation Plan, and is in the public interest. This policy is intended to avoid conflicts which occur when farm and non-farm uses are mixed, and to minimize the adverse pressures upon agricultural use caused by speculative land values and consequent increases in property taxes on farmland." (Columbia County Code, Section 16-1-4, 1998)

Since the agricultural district governs practically all of the town, it plays a significant role in the town’s land use development pattern. The agricultural district allows very few non-agricultural uses or developments.

Residential development is generally limited to 2 single-family residences or 1 two-family residence when the occupant or head of the occupant household of both units are employed in connection with the farm operation. A farm is defined as a parcel of land 35 acres or more in size.

**Agriculture District No. 2** - Five Agriculture Districts No. 2 (Map 6-2) are scattered throughout the town and total approximately 77 acres. These areas currently contain both farms and single-family residences, but the majority of this district is characterized by cropland and open space uses. The purpose of this Agricultural District No. 2 is to provide for limited residential use of lands without rezoning the lands residential, in unincorporated areas of the county when such lands do not qualify for inclusion in the Farmland Preservation Program because of size or productivity. The only lands which qualify to be placed in this district are those divisions of record on November 1, 1984, which do not meet the definition of a farm for the Farmland Preservation Program or which do not meet productivity standards prior to the time of petition.
**Single-Family Residence District** - Eight single-family zoning districts (Map 6-2) are scattered throughout the town and total approximately 15 acres. The eight districts are generally associated with individual parcels and in most cases are surrounded by land zoned as agriculture. It appears each of these eight districts contains a single-family residence. Single-family residential uses must be located on a lot having an area of not less than 20,000 square feet and a minimum average width of 100 feet.

**Recreation District** - This district (Map 6-2) covers approximately 152 acres and is located in a portion of the area surrounding Lazy Lake. Single-family residential dwellings associated with the established subdivisions along the Lazy Lake shoreline are the primary existing land use within this district. Residential lot area standards are same as the Single-Family Residence District.

**Commercial** - Lands zoned commercial (Map 6-2) within the town total less than 10 acres and are associated with a chiropractic and mini-storage business located at the intersection of McCrae Road and State Highway 16, and a restaurant on Seier Road.

**Industrial** - Three industrial zoning districts (Map 6-2) which total approximately 21 acres are located in the town. Except for a home based business, none of the three industrial districts within the town contain active industrial uses. The industrial district located along State Highway 16 (see Map 6-2) is the site of an abandoned plastic factory.

**Columbia County Land Division and Subdivision Regulations**

Columbia County, as part of its land use regulations, established language governing the development of subdivisions (Land Division and Subdivision Regulations, Title 16-Chapter 2). These standards are in addition to the county zoning requirements described above, and are effective throughout Columbia County, including the town.

The county land division and subdivision code defines subdivisions as the division of a piece of property into five or more parcels or building sites of 15 acres each or less in area by successive division within a period of five years. Additional definitions exist for various subcategories or types of subdivisions. The regulations also define which agencies or guidelines have authority over the development of subdivisions within unincorporated areas of the county.

The county land division code also requires preparation of a certified survey map (CSM) for any division of land less than 35 acres in size which does not necessitate the preparing of a subdivision plat. Additional standards related to the CSM include a minimum lot area of 20,000 square feet; an average lot width of 100 feet; and minimum public road frontage of 66 feet (30 feet on a cul de sac lot).

**Columbia County Shoreland/Wetland/Floodplain Protection Regulations**

Counties are mandated to promulgate and adopt a zoning ordinance that regulates land use in shoreland/wetland and floodplain areas for the entire area of the county outside of villages and cities, which Columbia County has done (Columbia County Shoreland Wetland Protection...
Ordinance, Title 16--Chapter 5). This ordinance supersedes any town ordinance unless a separate town ordinance is more restrictive.
The shoreland/wetland and floodplain area is that area that lies within 1,000 feet of the ordinary high water mark (OHWM) of navigable lakes, ponds or flowages; within 300 feet of the OHWM a navigable stream, or the landward side of a floodplain whichever distance is greater. In addition, wetlands 5 acres or more located within or partially within all shoreland areas are regulated. Within these designated areas of Fountain Prairie, county regulations addressing, but not limited to: permitted uses; land division review and sanitary regulations; dimensions of building sites; setbacks from water; removal of shore cover; filling, grading, lagooning, dredging, ditching and excavating; rezoning; and non-conforming uses and structures; must be followed.

The Columbia County Floodplain Zoning Ordinance (Title 16 - Chapter 4) further regulates development and use of town floodplains, rivers, streams and creeks. Land uses and alterations within the floodplain district are limited and subject to specific development and engineering standards to minimize flood hazard.

**Columbia County Animal Waste Management Regulations**

Columbia County recently amended Title 15, Animal Waste Management, (Ordinance No. 259-98) under the authority of Section 59.02, 59.03, 92.16, and 281.16(3)(a)1.-4 Wisconsin State Statutes. This ordinance regulates the location, design, construction, installation, alteration, operation, maintenance, abandonment, use of animal waste and manure storage facilities and the application of waste and manure from animal waste storage facilities.
Map 6-2
6.4 Recent Land Sales

Although agricultural land uses comprise the largest land use category within the town, a decline in agricultural acreage has been experienced statewide over the past several decades. Between 1950 and 1998 there has been an approximately 55% decline in the number of farms in the state from 174,000 farms to 78,000 farms. The total land acreage in farms during this same period has declined 30.5% from approximately 23,600,000 acres to 16,400,000 acres. Data such as this is made available by the Wisconsin Agricultural Statistics Service (WASS).

The WASS, a division of the United States Department of Agriculture’s (USDA) National Agricultural Statistics Service (NASS), collects, verifies, and analyzes agricultural data which are used to prepare statistical estimates covering virtually every facet of agriculture. The statistics of interest pertaining to land use include the number of farms, average size of farms, and agricultural land sale transactions data. Tables 6-2 and 6-3 provide this information for Columbia County, Dodge County, the South Central Region, and Wisconsin.

According to Wisconsin Agricultural Statistics Service data, the total number of farms and acreage of land in farms in Columbia County, Dodge County, the south central region (comprised of Columbia, Dane, Dodge, Green, Jefferson, and Rock counties), and Wisconsin, have decreased between 1970 and 1998 (see Table 6-2). During this period, Columbia County lost approximately 490 farms, which is a 23% decrease. However the number of farms in the county actually increased by approximately 60 farms between 1990 and 1998. The overall acreage of land in farms in Columbia County also decreased between 1970 and 1998, by approximately 52,900 acres (12.8%), including a loss of 2,000 acres specifically between 1990 and 1998.

Table 6-3 identifies the average land values of agricultural land continuing in agricultural use, and agricultural land being diverted to other uses between 1980 and 1998. The increase in the market value of agricultural land, especially for uses other than agriculture is clearly evident. The average value per acre of farmland being diverted from agricultural use in Columbia County increased approximately 66% between 1980 and 1998, and approximately 90% between 1990 and 1998, as agricultural land values for all uses in 1990 were lower than 1980 values. Within the south central district, the average value per acre of agricultural land being diverted to other uses increased over 111% between 1990 and 1998. Land values for agricultural land continuing in agricultural use in Columbia County were approximately 70-80% of the value of agricultural lands being diverted to other uses, which is slightly greater than that of other counties within the south central district. Additional agricultural land sales transaction data is provided in Appendix 6-2.
### Table 6-2
**Number of Farms, Average Size and Land in Farms: 1970-1998**
**Columbia County and Selected Areas**

Table 6-3
Agricultural Land Sales 1980-1998
Columbia County and Selected Areas

The reasons for the decreasing number of farms have been the subject of much debate, however, three factors appear evident: 1) farm consolidation (one farm purchasing part or all of another farm to expand the operation); 2) a poor farming economy (milk and corn prices have experienced little or no significant increases), and 3) market value of farm property for intensive land use types (i.e., rural residential development) has increased. From the local level, little control can be expected to influence changes to factors 1 and 2, however, several land use implementation tools can be utilized to control premature rural development while allowing farmers an opportunity to gain financially from their properties. These tools will be discussed as part of the plan’s implementation strategy.

6.5 Existing and Potential Land Use Conflicts

The goal of developing a land use plan is to formulate a functional strategy for the orderly transition of land within "proper" aesthetics of the community vision. In order to attain the goals, it is important to identify the existing or potential conflicts between land uses in the town. This involves an analysis of uses, where the characteristics of a particular land use are incompatible with an adjoining use.

This discussion is somewhat relative because there may be some degree of undesirability between many land use combinations. There are, however, some typical associations which may create problems. A typical example might be a residential development in close proximity to a particular industrial or commercial development that might conflict with sight, sound, odor or other undesirable characteristics. Another example could be an auto salvage yard in proximity to a recreational or natural area, or a home occupational, commercial-type use in a single family area that has outgrown its roots.

In the other direction, an example of compatible land use could be residential development in association with wooded recreational lands or vacant open space areas. Obviously, with the constraints of existing development and limiting factors on future growth, the most desirable situations are not always possible. What should be strived for is an awareness of incompatible land uses and an effort to alleviate or avoid them where possible.

In terms of the town of Fountain Prairie, land use is generally desirable. A significant amount of cropped farmland, woodlands, and open space areas exist within the town, and some residential developments have already been clustered which aids in preserving the rural character of the town. However, some aspects need to be considered. For example, a considerable amount of residential development has occurred adjacent to cropped farmland and farms and farmsteads. This type of development raises concern for maintaining the right-to-farm in the community.

Home occupations are becoming more popular as the workforce is disseminated from the office environment, and more people with entrepreneurial spirit are testing the waters of self-employment from their homes. In addition, employees can be networked to the home office with Internet services and overnight mail. The transformation of the worldwide web and fiber optic technology will literally change the way people work and do business, now and in the future.
Rural locations, such as the town of Fountain Prairie, are prime candidates for impacts associated with this shift in workforce location. Most people would agree that America was built on the ingenuity of people working for themselves, working out of the home is their choice. However, when conditions change relative to the use of a primarily residential land use to more of a commercial or similar type use, the impacts to the surrounding properties are real and can have negative impact. Defining what a home occupation is exactly, and when a home occupation in a single-family home becomes something else that does not fit the definition of a single family use, needs to be defined by the town of Fountain Prairie in the very near future.

Also included within the formula for land development pressures are the demands for rural property for both residential development and recreational use. Land use in the town of Fountain Prairie will inherently have conflict relative to the land development process and how that corresponds to the long-term vision of the community. Plan administration will play a large part in that drama.