

## **CHAPTER 8 - LAND USE**

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### **INTRODUCTION**

The land use portion of this plan is intended to present information on the current (2006) land use within the Town of Sherman. A windshield land use survey was completed by Bay-Lake Regional Planning Commission in the summer of 2002, and subsequent field checks and discussions with local officials have attempted to keep this inventory up-to-date.

The input of Town officials and residents, along with the data, principles, goals, and policies found throughout this plan document, are used to develop projections of future land use demands and assist in guiding the selection of locations for specific types of land uses. Existing land use controls are also inventoried to assist in the development of the 20-Year Potential Land Use Map.

The plan and maps provide direction to residents, the business community, and government officials along with their staff. Specifically, the 20-Year Potential Land Use Map will serve as a practical guide to the Town Plan Commission members and the Town Board in their decision making process.

#### 66.1001(2)(h)

*Land Use Element.* A compilation of objectives, policies, goals, maps and programs to guide the future development and redevelopment of public and private property. The element shall contain a listing of the amount, type, intensity, and net density of existing uses of land in the local governmental unit, such as agricultural, residential, commercial, industrial, and other public and private uses. The element shall analyze trends in the supply, demand and price of land, opportunities for redevelopment and existing and potential land-use conflicts. The element shall contain projections, based on the background information specified in par. (a), for 20 years, in 5-year increments, of future residential, agricultural, commercial and industrial land uses including the assumptions of net densities or other spatial assumptions upon which the projections are based. The element shall also include a series of maps that shows current land uses and future land uses that indicate productive agricultural soils, natural limitations for building site development, floodplains, wetlands and other environmentally sensitive lands, the boundaries of areas to which services of public utilities and community facilities, as those terms are used in par. (d), will be provided in the future, consistent with the timetable described in par. (d), and the general location of future land uses by net density or other classifications.

### **SUMMARY OF INVENTORY AND RECOMMENDATIONS**

Although the Town of Sherman has not previously had a comprehensive land use plan, it has had formal public input in the past on land use through community surveys and consensus mapping, and a fairly extensive zoning ordinance in place since the late 1970s.

The current land use inventory for the Town shows approximately 3% of the Town as being developed and 97% as undeveloped. The major developed use is single-family residential, with just under half of the developed land in this use; the major undeveloped use is agriculture, which accounts for 70% of all undeveloped land.

The supply of land within the Town is constrained by a strong public policy in favor of farmland preservation, as well as substantial areas of floodplain and wetlands. The preferred land for development is located near the villages of Random Lake and Adell, and secondarily near Silver Creek. There may also be limited opportunities along the STH 57 corridor.

Demand for developable land has historically been low, but this may change due to the relatively affordable land prices in the area and the recent expansion of STH 57 to four lanes. WisDOA projections of anticipated growth do not see significant increases in population over the 20-year planning period. Consequently, land allocations for residential, commercial, and industrial uses, although substantial in acreage, will not approach full build-out for at least several decades. Most of the land for development comes from transitioning agricultural land in or adjacent to the two villages and Silver Creek.

Recommendations for land use and development are consistent with policies stated in earlier chapters of this plan document and place a high priority on preservation of farmlands, natural areas, and open space, limiting conflicts between different land uses, and avoiding harm to important natural areas.

## **INVENTORY OF EXISTING LAND USE CONTROLS**

This section lists and briefly describes the state, county, and local land use plans, ordinances, and controls that currently impact the Town of Sherman, and which may affect or restrict the way land can be developed.

### **Existing Comprehensive Plan or Land Use Plan**

Prior to this effort, the Town has not had a comprehensive plan in the past. However, in 1993 and again in 1997 Sheboygan County UW-Extension, in cooperation with the Town of Sherman Board and Survey Committee, prepared reports entitled “Town of Sherman Land Use Planning Program: A Report on Future Directions.” These reports contained demographic information, identified community issues and values, presented community survey and “consensus mapping” results, and offered recommendations. Both reports have provided guidance in land use decision making.

### **Farmland Preservation Plan & Ag Preservation Areas**

#### **Farmland Preservation Plan**

The 2013 Sheboygan County Farmland Preservation Plan Update was incorporated into the Sheboygan County Comprehensive Land Use Plan, 2010-2030, which includes the vision of a strong agricultural resource base closely connected to resource-rich open spaces. The plan’s policies seek to discourage random and scattered growth, low-density development, and discontinuity of developing areas, which often inflate costs of services, etc. Furthermore, the plan also seeks to discourage the mixing of incompatible uses of the land.

#### **Farmland Preservation Areas**

The criteria below were considered when deciding which lands should be preserved according to the 2013 Sheboygan County Farmland Preservation Plan Update:

- Whether the soils are suitable for agricultural production.
- Whether the land has historically been used for agricultural use or agriculture-related use.

- Whether the land is in proximity to agricultural infrastructure.
- Whether the land is in undeveloped natural resource or open space areas that connect other farmland parcels to create a large, uninterrupted block of preserved area.
- Whether the land may be under some development pressure but the land is not located in an area planned for development in the next 15 years.

The farmland preservation areas were established to protect productive soils from premature development and to allow eligible farmers to take advantage of State income tax credits offered through the new Working Lands Initiative. Within the Town of Sherman in 2014, just under 17,000 acres ( 78% of the land in the Town) were in the Farmland Preservation Zoning (FPZ) district.

### **Transition Areas**

Transition areas are existing agricultural lands planned or zoned for future expansion of urban or other non-agricultural uses. Typically zoned “A-3,” these lands are thought of as “holding areas” for future growth and future urban service areas. Transition Areas may include sanitary districts, rural centers, lands adjacent to existing cities or villages, etc. Transitional lands in the Town of Sherman are found encompassing the hamlet of Silver Creek, surrounding the villages of Adell and Random Lake, and along STH 57. Transitional areas total at least 2,921 acres within the Town.

### **Town Zoning Ordinance**

The Town of Sherman Land Use and Zoning Ordinance was adopted in 1978 and has been revised several times, most recently in 2014, in an effort to remain up to date. Section 1.3 of the Zoning Ordinance states, “It is the general intent of this ordinance to:

1. Regulate and restrict the use of all structures, lands and waters.
2. Regulate and restrict the lot coverage, population distribution and density, and the size and location of all structures, so as to preserve agricultural land, woodlands and wetlands, and open land.
3. To concentrate the division of land into small parcels in areas adjacent to present population centers.
4. To give preference to proposals for single family dwellings over other types of residential development.
5. To allow for the orderly development of:
  - a. light industry; b. planned recreational areas; c. planned commercial areas
6. Establish and promote plans to control access to heavily traveled highways.
7. Provide adequate light, air, sanitation and drainage.
8. Facilitate the adequate provisions of public facilities and utilities.
9. Stabilize and protect property value.
10. Preserve and promote the beauty of the town.
11. Encourage, enhance, and maintain elements of natural, cultural and historical significance.
12. Implement the town’s comprehensive plan or plan components.

**[Map: Figure 8.1 – General Zoning]**

Refer to the Zoning Ordinance itself for detailed information on the permitted uses and restrictions within each of the zoning districts listed below. See Figure 8.1 for mapped locations of districts.

**Figure 8.2 – Town of Sherman Zoning Districts**

A-1 Agricultural Land Preservation District A-2 Agricultural Land Preservation District (small-scale) A-3 Agricultural Land Transition District A-1-PR Agricultural Parcel Remnants District	M-1 Light Industrial District M-2 Heavy Industry District M-3 Resource Extraction District M-4 Sanitary Landfill District
B-1 Local Business District	R-1 Single Family Residence District (Sewered) R-2 Single Family Residence District (Un-sewered) R-3 Two Family Residence District R-4 Multiple Family Residence District R-R Single-Family Rural Residential District
C-1 Natural Resource Conservancy District	
P-1 Recreational Park District P-2 Institutional District	

**County Sanitary Ordinance**

Chapter 70 of the Sheboygan County Code contains the Sheboygan County Sanitary Ordinance, which promotes the proper siting, design, installation, inspection, management, and maintenance of private sewage systems. The ordinance requires the preparation and approval of sanitary permits for the location, design, construction, alteration, installation and use of all private sewage and septic systems of residential, commercial, industrial, and governmental uses within unincorporated areas.

**County Subdivision Ordinance**

Chapter 71 of the Sheboygan County Code contains the Sheboygan County Subdivision Ordinance. The ordinance regulates the unincorporated areas of Sheboygan County, or where incorporated communities have entered into agreement under sec. 66.30 Wisconsin Statutes, to exercise cooperative authority to approve plats of subdivisions, where the act of division creates five or more parcels from the same “Mother Tract” of land.

The “Mother Tract” of land is defined in the ordinance as, “A parcel of land that is, or at any time in the previous twenty (20) years was, in the same ownership. Contiguous parcels in the same ownership are considered to be one (1) parcel for purposes of this definition, even though the separate parcels may have separate tax identification numbers or were acquired at different times or from different persons.”

The ordinance includes a requirement for dedication of public parks and open space. The amount of land to be provided is based upon an equivalent of one acre per thirty-six dwelling units, with a minimum of one-half acre for undeveloped lots. Standards for road construction, improvements, stormwater management are also included.

The regulations contain a Land Suitability clause (71.20) that states “No land shall be divided or subdivided for use which is determined to be unsuitable by the Commission because of flooding or potential flooding, wetlands, soil or rock limitations, inadequate drainage, severe erosion potential,

unfavorable topography, inadequate water supply or sewage disposal capabilities, incompatible surrounding land use, or any other condition likely to be harmful to the health, safety, or welfare of the future residents or users of the area, or likely to be harmful to the community or the County.”

The ordinance also contains design standards for streets, planned unit developments, lots, easements, and storm water drainage that must be complied with in order for the subdivision to be approved by Sheboygan County.

### **Official Map**

An Official Map under Ch. 62.23(6), 61.35, 60.10(2)c of state statutes is intended to implement a town, village, or city master plan for streets, highways, parkways, parks and playgrounds, and drainageways. Its basic purpose is to prohibit the construction of buildings or structures and their associated improvements on land that has been designated for current or future public use. As this time, the Town of Sherman does not maintain an Official Map.

### **Extraterritorial Jurisdiction**

Wisconsin statutes do not allow towns to invoke extraterritorial jurisdictions. However, extraterritorial jurisdictions can still be a major factor in planning, since a town can be impacted by the jurisdiction of a city or village. In theory, parts of the Town of Sherman could be under the 1.5 mile extraterritorial zoning and/or extraterritorial platting jurisdictions of Adell, Random Lake, or Cascade. Currently, none of these villages administers extraterritorial zoning jurisdiction; however, Random Lake exercises extraterritorial platting jurisdiction and Adell plans to begin in 2007.

### **Highway Access**

Highway access restrictions can impact development patterns by making it difficult – or impossible – to site buildings along highways. At this time, neither Sheboygan County nor the Town of Sherman has a Controlled Access Ordinance – nor do they plan to adopt one. The State has an access control ordinance along STH 57 and STH 144 known as Trans 233. Trans 233 is part of the Wisconsin Administrative Code and defines requirements that must be met when subdividing lands abutting the state highway system. WisDOT is responsible for enforcing Trans 233 to preserve traffic flow, enhance public safety, and ensure proper highway setbacks and stormwater drainage.

The rule (as revised by a Wisconsin legislative committee in 2004) applies to landowners who intend to divide land abutting a state highway into five or more lots that are each 1.5 acres or less in size within a five-year period.

The major components of Trans 233 can be found in this plan in Chapter 5 - Transportation. It is unlikely that any development along STH 57 would be allowed direct access to the highway. Development would have to be accessed via frontage roads or crossroads.

### **County Shoreland-Floodplain Ordinance**

Chapter 72 of the Sheboygan County Code contains the Sheboygan County Shoreland-Floodplain Ordinance, which provides for the safe and orderly use of shorelands and promotes the public health, safety and general welfare relative to surface waters, shorelands, flood prone areas, and contiguous wetlands.

The ordinance controls building and regulates land use types within all lands that would be inundated by the regional flood and/or the 500-year flood for certain critical use facilities; and shorelands and wetlands of all navigable waters in the unincorporated areas of Sheboygan County which are: 1,000 feet from the ordinary high water elevation of navigable lakes, ponds, or flowages; and 300 feet from the ordinary high water elevation, or to the landward side of a floodplain, of the navigable reaches of rivers or streams, whichever distance is greater. Development in shoreland areas is generally permitted but specific design techniques must be considered. Figures 2.11 and 2.12 in Chapter 2 illustrate the shoreland zones and the floodplain in the Town of Sherman.

### **Wetlands**

Wetlands also act as natural pollution filters, making many lakes and streams cleaner and drinking water safer. They act as groundwater discharge areas and retain floodwaters. Filling or draining of wetlands is costly, destroys the productive capacity of the ecosystem and can adversely affect surface water quality and drainage. Finally they provide valuable and irreplaceable habitat for many plants and animals.

Because of their importance, there are strict regulations regarding wetlands. Wisconsin Administrative Codes NR 115 and NR 117 fall under the jurisdiction of the WDNR, and mandate that shoreland wetlands be protected in both the rural and urban areas of the State. In the unincorporated areas, NR 115 provides the legislation to protect wetlands of five acres or more that are within the jurisdiction of county shoreland zoning ordinances. Wetlands not in the shoreland zone are protected from development by the federal government and the WDNR through Section 404 of the Clean Water Act, and NR 103, respectively. It should be noted that all wetlands, no matter how small, are subject to WDNR and possibly federal regulations, if they meet the State definition.

There are about 3,500 acres of wetlands in the Town of Sherman (about 15% of the total land area), many of them located near Adell or in the central part of the Town. Figure 2.12 shows wetlands in the Town of Sherman as mapped on the Wisconsin Wetland Inventory.

### **Historic Preservation**

There may be some areas within the Town of Sherman where development is either not desired or should be carefully designed due to the special historic character of the location. The Gooseville area is one such location that might merit careful review before any new development or redevelopment would take place.

### **Conservation Easements**

Also known as land protection agreements, conservation easements are entered into by willing landowners seeking to permanently protect their land from future development. Individual agreements can cover hundreds of acres of land and therefore become a factor in land use planning because they remove land from development consideration in perpetuity. Currently, about 300 acres of land in the Town are protected by conservation easements. WDNR, through its North Branch Milwaukee River Wildlife and Farming Heritage Area program, has been active in purchasing conservation easements in the Town. Individual landowners can also work independently at any time with local non-profit land trusts such as Glacial Lakes Conservancy.

**CURRENT LAND USE INVENTORY**

A detailed field inventory of land uses in the Town of Sherman was conducted in the summer of 2002 by the Bay-Lake Regional Planning Commission (see Figures 8.3 and 8.4).

<b>Figure 8.3 – Town of Sherman Land Use Amount and Intensity, March 2002</b>			
<b>Land Use Type</b>	<b>Acres</b>	<b>Percentage of Developed Land</b>	<b>Percentage of Total Land</b>
<b>DEVELOPED</b>	606.1	100%	2.8%
<b>Residential</b>	261.0	43.1%	1.2%
single-family	258.5	42.6%	1.2%
two-family	1.0	0.2%	0.005%
mobile homes	0.7	0.1%	0.003%
land under residential development	0.8	0.1%	0.003%
<b>Commercial</b>	26.3	4.3%	0.1%
retail sales	26.3	4.3%	0.1%
<b>Industrial</b>	101.4	16.7%	0.5%
manufacturing	20.8	3.4%	0.1%
extractive	50.2	8.2%	0.2%
open storage	2.2	0.4%	0.01%
enclosed storage	28.2	4.6%	0.1%
<b>Transportation</b>	178.2	29.4%	0.8%
state highways	12.8	2.1%	0.06%
county highways	36.1	5.9%	0.2%
local streets and roads	89.1	14.7%	0.4%
rail related	40.2	6.6%	0.2%
<b>Communication / Utilities</b>	19.5	3.2%	0.09%
transmission infrastructure	0.6	0.1%	0.003%
electric power substations	3.0	0.5%	0.01%
radio/TV trans. tower/antennae	1.7	0.3%	0.008%
natural gas substations	0.6	0.1%	0.003%
transfer station	0.8	0.1%	0.004%
auto salvage/recycling/disposals	12.8	2.1%	0.06%
<b>Institutional / Governmental</b>	19.7	3.2%	0.09%
fire station/office	1.7	0.3%	0.008%
religious and related facilities	1.2	0.2%	0.005%
churches	4.8	0.8%	0.02%
cemeteries	12.0	2.0%	0.05%

	Acres	Percentage of Undeveloped Land	Percentage of Total Land
UNDEVELOPED	21,280.4	100%	97.2%
Outdoor Recreation	1.0	0.005%	0.005%
parks/picnic areas	1.0	0.005%	0.005%
Agriculture	14,888.5	70.0%	68.0%
open space	23.7	0.1%	0.01%
croplands; pastures	14,596.3	68.6%	66.7%
long-term specialty crops	45.7	0.2%	0.2%
farm buildings/accessories	220.9	1.0%	1.0%
vacant agricultural	1.9	0.009%	0.009%
Natural Areas	6,392.0	30.0%	29.2%
reservoirs; ponds	69.9	0.3%	0.3%
rivers and streams	49.6	0.2%	0.2%
other natural areas; also wetlands	1,921.7	9.0%	8.8%
woodlands	4,349.1	20.4%	19.9%
land under development	1.7	0.008%	0.008%
TOTAL LANDS	21,886.5	n/a	100%

Source: Bay-Lake Regional Planning Commission, 2002

### **Planning Area**

The Town of Sherman encompasses approximately 21,886 total acres of land. Of this, 606 acres, or 2.8% of the Town, is considered developed, leaving 97.2% as undeveloped lands. The undeveloped lands consist mainly of agricultural lands, woodlands, and wetlands.

It is also important to note the presence of two small villages that are almost entirely surrounded by the Town of Sherman. While these villages and the Town generally enjoy a good working relationship, both villages are likely to grow at least to some extent in the next 20 years, in some cases by annexation of land from the Town. Intergovernmental cooperation will continue to be essential as future uses for these lands are potentially considered.

### **Residential Land**

Residential land in the Town accounts for 261 acres or 43% of the developed land within the Town. The vast majority of this land (258.5 acres) is single-family residential, most of which is concentrated in either the unincorporated hamlet of Silver Creek or the Westview and County Line Estates subdivisions southwest of Random Lake. Residential lots in these areas are generally about an acre in size. Many scattered lots in open areas of the Town are typically 5 acres or larger. Residential uses take up a little over 1% of the total land use in the Town.

### **Commercial Land**

Commercial lands occupy approximately 26 acres within the Town, which is just over 4% of all developed land and only 0.1% of all lands. Most of this small amount of development is on the outskirts of the Village of Random Lake.

**[Map: Figure 8.4 – 2002 Land Use]**

### **Industrial Land**

Industrial land totals just over 101 acres or about 16-17% of the developed land in the Town. About half of this total is categorized as *extractive* (i.e., non-metallic mining operations). There is no industrial park or concentrated area of development. Only 0.5% of the total land area in the Town is allocated to this use.

### **Transportation**

Transportation uses include the local road and highway network, parking facilities, the rail line, etc. Within the Town of Sherman there are about 178 acres of land used for these purposes, which is the second highest “developed” land use. Most of the roads in the Town average about 25 feet in width shoulder-to-shoulder. There are less than five cul-de-sacs and few parking areas (none larger than about 25,000 square feet).

### **Communication/Utilities**

Uses under this category include land used for fuel storage, electrical and natural gas substations, transmission towers, etc. Such uses currently take up only a very small portion of lands in the Town.

### **Institutional/Governmental**

Institutional/governmental uses are defined as lands used for public or private facilities for education, health, or assembly, for cemeteries, places of worship, and all government facilities except public utilities or areas of outdoor recreation. Within the Town of Sherman this accounts for about 20 acres of land.

### **Parks and Outdoor Recreation**

About 1 acre of land is categorized under parks and outdoor recreation in the Town. This consists of a picnic area on the southeast corner of STH 144 and Camp Awana Road. There are about 6 acres of land dedicated for park uses in the County Line Estates subdivision. A majority of this park is designated as open space, however, a small portion is mowed and includes a shelter and playground equipment. Future development of this park is not anticipated.

### **Croplands/Pasture**

This is by far the largest land use within the Town, with a total of 14,596 acres, which is about 67% of the all land within the Town. Much of this land is interspersed with tracts of woodlands and wetlands. Statistics at the Town level are difficult to obtain, but data from the Program on Agricultural Technology Studies for Sheboygan County as a whole indicates that despite declines of 12% and 27% from 1990-2002 for acreage in corn and forage, respectively, these are still the top two uses for croplands. Soy is ranked third, although it grew by 933% during the same period. Small grains ranked a distant fourth and suffered a 52% decline.

### **Farm Buildings and Accessories**

The 221 acres in this category represent sheds, silos, and other farm structures scattered throughout the Town.

### **Other Natural Areas**

These uses include lands primarily in a natural state, such as woodlands, water features, wetlands, prairies, and grasslands. Approximately 6,392 acres of the Town fits this category. This represents 30% of undeveloped land and 29% of all lands.

#### **Woodlands**

Within the Natural Areas category, woodlands are the largest contributor, accounting for about 4,349 acres, which is over two-thirds of the category. In fact, about 20% of the Town overall could be categorized as woodlands.

#### **Wetlands**

Wetlands are another substantial natural feature, identified as a “use” for 1,922 acres, which is just under 10% of the Town. However, the WDNR Wetland Inventory shows the presence of wetlands as being perhaps twice the number shown in the Bay-Lake RPC land use inventory.

## **LAND SUPPLY**

### **Amount**

At first glance, with 97% of the land in the Town of Sherman categorized as “undeveloped,” there would appear to be an over-abundance of developable vacant land within the Town; however, in one sense, agriculture is an “industry” and could be considered a type of development since the land now used for farming has undergone a change from its natural, truly vacant state of 200+ years ago. Further, a significant amount of undeveloped land lies in wetlands and floodplains and would therefore be difficult to develop, even if such activity would be permitted by the WDNR. The Town discourages residential development in its rural open space areas, primarily due to the potential conflicts with agriculture and the wishes of residents as indicated in past community-wide surveys; nevertheless, in certain situations limited residential development might be allowable. Limited commercial development, manufacturing, and regulated non-metallic mining are somewhat more compatible with agriculture and lands might be available for such uses if they do not significantly harm the rural character of the Town.

### **Price**

According to the 2000 U.S. Census, the median value of an owner-occupied home in the Town of Sherman was \$133,500, compared to an average value for area villages of \$129,200. Land prices in the Town would seem to be just a little higher than “average.” Although there is substantial Milwaukee River frontage, there is no significant lake frontage or similar amenities to drive up prices in the Town.

### **Demand**

The overall residential vacancy rate for the Town of Sherman was 2% for owner occupants (U.S. Census, 2000). The Town’s rate is significantly lower than the 5% ideal, indicating there may be somewhat of a demand for new housing within the Town. Further, there may be additional future demand fueled by the expansion of STH 57 to four lanes.

There has not been any significant demand for substantial new tracts of commercial, industrial, institutional, or other types of land. However, there is an ongoing demand for agricultural land for those farm owners who might like to expand their operations in the future.

### **Redevelopment Opportunities**

There are no brownfields or sizable tracts of land within the Town that need redevelopment. There are, however, scattered parcels and structures that could be improved, converted to other uses, or redeveloped entirely. Any improvement, conversion, or redevelopment that takes place should be done in a way that maintains the rural character of the Town, including scale, architectural styles, etc.

### **LAND USE ISSUES AND CONFLICTS**

Some agricultural areas within the Town have been in close proximity to residential areas for several years. There is often little, if any, buffering between such uses. Some conflicts, such as noise and odor, have been occasional issues. These situations continue to be monitored and opportunities for improving awareness and understanding between farmers and non-farmers will be considered, as will possible options for landscaping/buffering.

Noise, dust, vibration, and aesthetic impacts all potentially come into play when non-metallic mining operations are opened or expand near residences. Conditional use permits and reclamation permits will aim to address such impacts.

Currently, there is very little commercial development along STH 57. Any future development is likely to increase the traffic, lighting, and noise in the immediate area and should be buffered from any residential development.

### **ANTICIPATED LAND USE TRENDS**

It is anticipated that over the next 10-20 years the Town of Sherman will grow at a slow, managed rate and that most new development will be primarily single-family residential near Silver Creek and the villages of Adell and Random Lake. Some small-scale commercial development may take place along the STH 57 corridor near Random Lake. Existing agricultural uses will likely continue to expand through the process of consolidation of smaller operations. The demand for aggregate (e.g., gravel) could potentially lead to new or expanded mining operations in the Town.

Possible external impacts on local land use are expected to include 1) the overall aging population, which will drive more diverse housing options, 2) the increasing ability due to technological innovations to telecommute or start a home-based business, 3) the desire for passive recreation options, such as biking and walking trails, and 4) increasing emphasis on renewable energy options.

## **DEVELOPMENT CONSIDERATION AND CONSTRAINTS**

### **Environmental, Financial, Transportation, and Public Utility Considerations and Constraints**

A significant amount of environmental corridors (i.e., wetlands, floodplain, steep slopes) weave through the Town (see Figure 8.6), and these features have constrained development in the past and will probably continue to do so. In most cases, this is an appropriate constraint.

The Town of Sherman's total general obligation debt as of December 31, 2003 was \$110,000, which was only 0.1% of its full value, and only 2% of the \$5,335,075 it could legally borrow. Therefore, the Town has the capacity to borrow for infrastructure for future development projects if it so desires. Further, the Town has no existing TIF obligations, which means this development financing option, though limited for towns, is available if needed.

It has been determined that an adequate transportation network of collector and arterial roads are already in place within or adjacent to the Town to serve future traffic flows generated from new growth, and the County's subdivision ordinance makes adequate provision for the construction of local roads to serve new development.

No official hydrological study has been performed to determine the inventory, consumption, and ongoing supply of acceptable groundwater in the Town of Sherman, but no significant problems have been reported with public well water quantity or quality to date. Given the general abundance of this resource in the area and the relatively small current and projected populations and industrial usages for the area, it is not anticipated that water supply will be a constraint.

Soils in most areas of the Town are generally adequate for low density development on mound, conventional, or newer technology on-site waste disposal systems. Any intense or high density development would be better suited to a municipality with a public wastewater treatment facility.

Gas and electrical supply continues to be upgraded by We Energies as necessary and is not considered to be a constraint to further development.

**[Map: Figure 8.5 – Development Constraints]**

## **20-YEAR LAND USE PROJECTIONS**

This section of the chapter is based on a consensus map compiled by Sheboygan County UW-Extension following a survey mailed to all households in the Town of Sherman, citizen opinion survey questions, discussions with the Smart Growth Workgroup, emerging trends (STH 57 widening to four lanes, etc.), and the constraints or lack thereof described in the previous section.

### **Five-Year Incremental Land Use Projections**

#### **Residential Projections**

The method to project the Town's future residential land use acreage used the following:

- the projected housing unit needs presented on page 3-12 of this document, along with local knowledge and observations of housing development trends
- an average of one-half acre per dwelling unit, which was calculated by taking the current number of acres identified in the Bay-Lake RPC land use inventory as being used for residential purposes and dividing this total by the number of households in the Town. (*Note: the one-half acre per dwelling unit is the amount of land immediately bordering residential structures and accessories. It is not the total amount of land within a given parcel.*)

#### **Commercial Projections**

Commercial land use projections were calculated by comparing the current ratio of commercial land use acreage to the current ratio of residential land use acreage in the Town (1:10). Assuming this ratio has been satisfactory, it can be used to project appropriate commercial acreages in the future by holding the commercial ratio steady with residential growth as residential is projected to occur.

#### **Industrial Projections**

Industrial land use projections were estimated in the same manner as the commercial lands, with the ratio calculated at 1:2.6.

#### **Agricultural Projections**

Using recent history as a guide, most of the acres projected to be needed for residential, commercial, and industrial development are likely to come from existing agricultural uses. This makes the agricultural projections a series of negative numbers, which is consistent with the overall decline in agricultural land over the last several years in Sheboygan County. In fact, the projected decline of 4.9% for the Town from 2006 to 2026 may be underestimated, since the average rate of decline in Sheboygan County as a whole was 25% from 1990-2002 (Program on Agricultural Technology Studies, UW-Madison, 2004.)

After Town of Sherman projections were made using the methods described above, acreages were then adjusted downward to account for potential annexations based on the Adell and Random Lake 20-Year Land Use Maps. Potential annexations are the primary reason the projected acreages in the residential category, for example, do not actually increase as much as would be mathematically expected. (*Calculations are for planning purposes only.*)

**Figure 8.6 – Land Use Projections for the Town of Sherman in Five-Year Increments**

Use	Current (total acres & % of total land)	2011 (total acres & % of total land)	2016 (total acres & % of total land)	2021 (total acres & % of total land)	2026 (total acres & % of total land)
Residential	261, 1.2%	267, 1.2%	272, 1.3%	278, 1.3%	283, 1.3%
Commercial	26, 0.1%	25, 0.1%	28, 0.1%	31, 0.1%	34, 0.2%
Industrial	101, 0.5%	110, 0.5%	122, 0.6%	135, 0.6%	145, 0.7%
Agricultural	14,888, 68%	14,706, 67.8%	14,524, 67.5%	14,342, 67.1%	14,160, 66.9%
Natural Areas	6,392, 29%	6,353, 29.3%	6,314, 29.3%	6,275, 29.4%	6,237, 29.5%
Other	218, 1.2%	240, 1.1%	267, 1.2%	298, 1.4%	319, 1.5%
TOTAL	21,886, 100%	21,701, 100%	21,527, 100%	21,359, 100%	21,178, 100%

Based on the 2003 WisDOA population projections for the Town of Sherman, but starting from the January 1, 2005 WisDOA estimated population for the Town of 1,542, the population of the Town would be approximately 1,576 in 2011, 1,604 in 2016, 1,637 in 2021, and 1,664 in 2026 (+7.9% since 2005).

**20-Year Potential Land Use Map Comments**

Since a number of acres of existing residential development shown adjacent to Adell and Random Lake is anticipated to be annexed into the respective villages, such acreage is not included in the residential growth projections shown in Figure 8.6. The approximately 22 acres allocated to residential development for this period in Figure 8.7 takes into consideration subtractions of acreage due to potential annexations; consequently, it is likely that more than 22 acres of new residential will be developed over the planning period. Residential is anticipated to be on a few scattered large lots and perhaps one or two small new subdivisions. The location of these potential developments is nearly impossible to predict and map; the “Hamlet” area encompassing Silver Creek is one “best guess” where such development might occur. Land divisions would likely also be allowed in the “Highway” and “Village Border” areas designated on the map, subject to WisDOT requirements and the extraterritorial platting jurisdiction of the two villages.

The approximately 8 acres allocated to commercial development during the Current-2026 period as shown in Figure 8.6 are expected to be scattered home-based businesses and small enterprises. Locations are not mapped, due to their unpredictability and small size. Depending on landowner wishes, the approximately 120 acres of land east of STH 57 between CTH K and the EVS property identified for potential commercial development may or may not be annexed into the Village of Random Lake at some point in the future. If some of this land remains in the Town, it will increase the projections well beyond what is allocated in Figure 8.6 for the Current-2026 period.

Much of the approximately 44 acres allocated for industrial development during Current-2026 as shown in Figure 8.6 could be similar to the extractive and storage uses currently seen in scattered portions of the Town, making it difficult to predict and map even general locations – although Figure 2.15 may provide some general indication of potential sites.

The major delineation on the 20-year Potential Land Use Map is “Farmland Preservation Area,” which was initially identified using 2004 consensus mapping input from residents (Appendix 1A) as

**[Map: Figure 8.7 – 20-Year Potential Land Use]**

being best preserved as farmland and/or natural areas, and then refined by the Town of Sherman Plan Commission and Citizens Advisory Group in the process of revising the Town's Zoning Ordinance during 2011-2014. This input was supplemented by analysis from 1) Sheboygan County's 2004 LESA Study, which uses NRCS soils data and a geographic information system to identify the most productive farmlands, and 2) the 2004 *Sheboygan County Natural Areas and Critical Resources Plan*, which shows the environmental corridors in the area. Further, the southern portion of the area is part of WDNR's North Branch Milwaukee River and Farming Heritage Area, which has already been the location of multiple conservation easement purchases. While limited land divisions at a density of one residence per 20 acres are allowed, residential subdivisions and any other development incompatible with agriculture shall not be located in the area mapped as "Farmland Preservation Area," unless DATCP's Working Lands Initiative requirements for a rezoning are met and a Comprehensive Plan amendment is adopted. (Note: a *subdivision* is five lots or more in a five-year period; a *land division* is four or fewer lots.)

### **COORDINATION BETWEEN 20-YEAR LAND USE MAP AND ZONING MAP**

The Potential 20-Year Land Use Map in this chapter is meant to be used as a guide for making decisions about rezonings and future development. Because it would be impractical to analyze in detail every individual parcel within the Town of Sherman, the 20-Year Land Use Map is somewhat general in nature. When a request for rezoning or development comes before the Plan Commission and Board, these bodies should refer to the 20-Year Land Use Map for initial guidance in responding to the request. If the request is in harmony with the 20-Year Land Use Map, the rezoning and/or development can likely proceed. If, on the other hand, the request is *not* in harmony with the 20-Year Land Use Map, the rezoning and/or development should probably be rejected. However, since the 20-Year Land Use Map and the entire Plan is primarily a guide and not parcel specific, it is possible the applicant could present data and compelling reasons why his/her proposal is appropriate. In such a case, it might make sense for the Comprehensive Plan and 20-Year Land Use Map to be amended to allow the proposal. A subsequent rezoning could then be approved that would be consistent with the amended Plan and 20-Year Land Use Map.

Any amendments to the land use chapter and map must be considered in the context of all nine required plan elements, especially the vision, goals, objectives, and policies/programs described in this document. The amendment process includes a formal public hearing and distribution according



*The Town features a variety of land uses.*

to the requirements of Wisconsin's Comprehensive Planning Law. Any amendment must be recommended by the Village Plan Commission and approved by the Village Board before permits may be issued and development can begin.

### **DEVELOPMENT / DESIGN STANDARDS**

Development will adhere to the standards laid out in the Town of Sherman Zoning Ordinance and the Town of Sherman and Sheboygan County Subdivision Ordinances.

## **LAND USE STRATEGY AND RECOMMENDATIONS**

The Town of Sherman will seek direction for this element from the vision and goals identified through the public participation process:

### Vision

*“We envision Sherman as a predominantly open space, agricultural area surrounding small villages. Sherman residents consider the land to be a great natural asset and encourage careful planning to ensure the land is used wisely. Intergovernmental cooperation will be important in this planning.”*

### Goals, Objectives, Policies, Programs

#### **1) Maintaining existing open space and scenic views within the Town of Sherman shall be a high priority in land use decision-making.**

About 94% of respondents to the 2004 Citizen Input Survey said they valued the open spaces and scenic views in the Town. Given this strong preference, the Town will strive to manage the rate of growth and encourage the growth that does occur to be concentrated in as few areas as possible. This is in harmony with the input from another question on the survey where almost 76% of respondents felt the quality of life and rural atmosphere of the Town could be preserved while allowing some development.

- a) *Policy/program for Residential:* Throughout its history, the Town of Sherman has been a rural, agricultural community. About 36% of respondents to the survey would prefer the Town to remain this way at least 20 years into the future. However, almost 52% of respondents described the future of the Town as a mixture of agriculture and residential, which indicates some support for a limited amount of new residential development around Silver Creek and the villages of Random Lake and Adell.
- b) *Policy/program for Commercial:* Intense commercial development is not compatible with the rural atmosphere Town residents value. However, it is conceivable that there could be future expansions of existing businesses or that similar types of new businesses might be developed. Such development should primarily occur adjacent to Random Lake and Adell, and along the STH 57 corridor, since only 28.6% of respondents thought development should be encouraged throughout the Town in areas other than those adjacent to already built up areas.
- c) *Policy/program for Industrial:* Intense industrial development is not compatible with the rural atmosphere Town residents value. However, it is conceivable that there could be future expansions of existing industries (extractive, storage, manufacturing) or that similar new development might occur near the villages of Random Lake and Adell.
- d) *Policy/program for Governmental/Institutional:* The Town considers existing governmental and institutional uses within and near the Town to be adequate to meet current and future needs during the 20-year planning period. Unanticipated needs resulting in development requests that do not conflict with existing residential uses can be handled through the statutory plan amendment process, if necessary.

- e) *Policy/program for Communication/Utilities:* While no land is specifically allocated on the 20-Year Land Use Map for communication/utilities uses, these uses do not typically require large tracts of land; it is therefore difficult to predict their future locations. The Town is not opposed to allocating small parcels of land for these purposes as needed. Development requests that do not conflict with existing residential uses will be handled through the statutory plan amendment process, if necessary.
- f) *Policy/program for Outdoor Recreation:* Less than 10 acres total within the Town have been allocated for outdoor recreation. The Town has a good relationship with the two villages it surrounds and in the past has even donated dollars for a recreation facility in Random Lake; therefore, in the interest of intergovernmental cooperation, it may be more appropriate to share facilities than develop separate ones in the Town. If not, such facilities could be located anywhere in the Town if they are compatible with surrounding uses.
- g) *Policy/program for Agriculture:* Agriculture is the economic backbone of the Town and influences the character of the Town more than any other land use. It is not surprising that almost 75% of respondents to the citizen input survey agreed or strongly agreed that preservation of agricultural land in the Town is important. Only 28.6% agreed that owners of farms should be allowed to subdivide when their farm is being sold. Nevertheless, it is anticipated that small amounts of agricultural land within certain parts of the Town will gradually transition to some sort of development, especially near the villages. Based on consensus mapping input, Town residents prefer this does not happen in the area designated as “Farmland Preservation Area” on the 20-Year Land Use Map; therefore, rezonings for residential subdivisions and any other development incompatible with agriculture shall not be granted in the area mapped as “Farmland Preservation Area,” unless DATCP’s Working Lands Initiative requirements for a rezoning are met and a Plan amendment is adopted. A limited number of land divisions and non-agricultural uses might be allowed in the area designated “Rural” if they are in harmony with the goals and policies outlined on pages 2-40 and 2-41.
- h) *Policy/program for Natural Resources:* The Town will discourage extensive development in any of its existing natural areas. Nearly 75% of respondents to the citizen input survey agreed or strongly agreed that protection of woodlands, wetlands, open spaces, and cultural resources in the Town is necessary, and over 94% valued the open spaces and scenic views currently offered in the Town. Nevertheless, it is anticipated that small amounts of such lands within certain parts of the Town will gradually transition to some sort of development, especially near the villages. Based on consensus mapping input, Town residents prefer this does not happen in the area designated as “Farmland Preservation Area” on the 20-Year Land Use Map; therefore, rezonings for residential subdivisions and any other development incompatible with natural resource preservation shall not be granted in the area mapped as Farmland Preservation Area,” unless DATCP’s Working Lands Initiative requirements for a rezoning are met and a Plan amendment is adopted. A limited number of land divisions and non-agricultural uses might be allowed in the area designated “Rural” if they are in harmony with the goals and policies regarding natural resources identified throughout this Plan.
- i) *Policy/program for Transportation:* The Town recognizes the importance of adequate and appropriate transportation infrastructure to serve new and existing development. Acreages for streets and paths in future residential areas were included in the calculations in Figure

8.6; however, locations were not mapped—this is to allow developers flexibility in how any possible future subdivisions might be laid out. Nevertheless, the Town will strongly encourage street and trail linkages between adjacent subdivisions.

**2) Land use decisions involving the Town of Sherman will incorporate the data, principles, goals, and policies found throughout this plan in order to ensure all of the elements are integrated into a consistent decision making approach.**

These references include but are not limited to:

- Continue to use the Agricultural zoning districts to preserve productive farmlands in the Town. (Ch. 2)
- Consider clustering and conservation designs for future residential developments in order to preserve open space and natural areas. (Ch. 2)
- The Town will not encourage additional large-scale livestock operations. This does not mean the Town is discouraging large-scale agriculture. However, due to concerns about odor, noise, truck traffic, etc., the Town will not create policies to promote or solicit new farms of this size. (Ch. 2)
- The Town shall steer incompatible uses away from current mining sites and areas where the development of new mining is highly likely. (Ch. 2)
- The Town land use map and zoning ordinance will favor single-family housing, but some provision may be made for a limited number of other housing types. (Ch. 3)
- The Town will utilize its 20-Year Land Use Map and zoning map to steer residential development toward the already built-up areas of Silver Creek, Adell, and Random Lake. (Ch. 3)
- The Town of Sherman will severely limit commercial zoning in areas not located near Adell, Random Lake, Silver Creek, and along the STH 57 corridor. (Ch. 4)
- New businesses or expansions should not adversely threaten critical natural or historic resources. (Ch. 4)
- The Town would prefer home-based businesses undergoing substantial expansion to relocate to a more suitable location such as Adell or Random Lake. (Ch. 4)
- The destruction of, or negative impacts to, historic buildings and historic, scenic, scientific, archaeological and cultural sites as caused by the construction or reconstruction of transportation facilities should be minimized. (Ch. 5)
- The location of transportation facilities in or through environmental corridors should be avoided if possible. (Ch. 5)
- The Town will consider allowing elder care facilities that are appropriate to the Town's rural atmosphere. (Ch. 6)

**3) The Town of Sherman will plan for growth/development that may occur along Highway 57.**

With the recent upgrade of STH 57 to four lanes the corridor has become more attractive to developers. Careful planning can help to ensure any development along the highway corridor is in harmony with the character and values of the Town of Sherman and Village of Random Lake.

- a) *Policy/program:* The Town will continue to communicate and work with the Village of Random Lake to coordinate responses to development proposals in the STH 57 corridor for the purpose of extending the Village's design standards into areas bordering the Village.
- b) *Policy/program:* The Town of Sherman and Village of Random Lake will consider a highway corridor plan to supplement their comprehensive plans and provide further guidance for future growth along this corridor.