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## LAND USE

### 8.1 PURPOSE

The primary intention of land use planning is to document and understand existing land use trends and to find ways to accommodate future growth and land use activities while minimizing land use conflicts and to retain the area's quality of life. Land ownership, either private or public, is an important consideration as is the rate of parcel development and transfer of ownership.

The Land Use chapter provides important background data, analyzes trends, and defines future needs related to community land use. This information serves as the foundation for the development of goals, objectives, policies, and actions. This planning chapter must be utilized in conjunction with the other eight chapters and will serve as a guide to future growth and development within the community. Tools to implement the community actions related to land use are defined and described under Chapter 9, Implementation.

Defining appropriate land use is about more than making ecologically and economically intelligent choices. It is also about retaining values, lifestyles, cultural assets, and community character. The planning of future land uses is sometimes perceived as an intrusion on the rights of private property owners. The actual purpose of this activity is to protect the rights of the individual and to give landowners, citizens, and local communities the opportunity to define their own destiny.

### 8.2 EXISTING LAND USE

Located in the northwestern portion of Burnett County, the Town of Blaine encompasses approximately 70.3 square miles; 68.8 square miles of it is land and 1.4 square miles is water. An existing land use map was completed, based on aerial photo interpretation. Map 8.1 is an approximate representation and location of existing land use based on this photo interpretation.

Based on a standardized land use classification system, the following land use classifications were used to assign land use categories.

- Agriculture – Agriculture land use is typified by croplands, livestock grazing areas, and dairy farming.
- Commercial - Retail sales establishments, restaurants, hotels/motels, and service stations.
- Residential - Lands with structures designed for human habitation including: permanent, seasonal, and mobile housing units (not in a designated mobile home park), and recreational cabins and cottages.
- Industrial - Manufacturing and processing, wholesaling, warehousing and distribution, and similar activities.

- Open Space - Privately owned non-wooded undeveloped lands, fallow fields.
- Parks and Recreation - Recreation lands under public or private ownership. Publicly owned recreational lands may include: village parks, nature preserves, athletic fields, boat landings, campgrounds, etc. Examples of privately owned lands may include: golf courses, campgrounds, marinas, shooting range, etc.
- Transportation - Use of land corridors for the movement of people or materials, including related terminals and parking facilities.
- Water - Open water areas, including natural and impounded lakes and streams.
- Woodlands - Woodlands under public and private ownership, private forest woodlots.

Based on existing land use, the overall intensity and density of all land use activities is generally considered low. Residential development over the past 20 years has increased nominally, and density levels still remain low (3.3 people per square mile). Over the 20-year planning horizon, it is anticipated the overall density of all land use activities will remain at a low level with some continued residential development occurring throughout the town. Any substantial industrial development is not anticipated, however some commercial development could develop along STH 35.

### **8.3 EXISTING LAND USE PATTERN**

Based on existing land use activity, Table 8.1 identifies land use categories and acres consumed by different land use activities. An analysis of selected land use activities is highlighted below.

#### **Woodlands**

The dominant land use within the Town of Blaine is woodlands (94.8%). Woodlands represent primarily forested portions of public and privately held lands. The large tracts of county, state and federal properties contribute to the retention of significant woodland areas.

#### **Agriculture**

Agricultural use is the third most dominant land use in the Town of Blaine (2.3%). The north- and southwestern portion of the town is the primary area for continued agricultural activity. Prime farmlands, as designated by the National Resource Conservation Service are mostly present in the northwest portion of the town, with other scattered prime farmlands interspersed in the southwestern section of the town.

#### **Residential**

Residential land use (.4%) has primarily followed the developed transportation system consistent with a rural low-density development pattern. The majority of residential development is single-family detached units.

**Roadways**

Road corridors are defined as the actual road surface and the associated right-of-ways. The town has a road network comprised of town roads and one state highway.

**Commercial**

The Town of Blaine has little commercial land use activity. Most commercial activity is concentrated along STH 35 and consists of recreational and restaurant/bar businesses.

**Open Space**

Several tracts of undeveloped open space are located in the town. These lands are generally areas where no woodlands or production agriculture is present. Many of these locations may be some type of wetland or agricultural land transitioning to permanent woodlands.

Table 8.1: Land Use by Category		
Land use	Acres	Percent of Total
Agriculture/Open Space	1047.5	2.3%
Park & Recreation	1.4	<0.1%
Residential	187.5	.4%
Water	1,111.0	2.5%
Woodlands	42,627.7	94.8%
<b>TOTALS</b>	<b>44,975.1</b>	<b>100.0%</b>

**Public Lands**

County, state, and federal governments own a significant amount of land in the Town of Blaine for the purposes of protecting significant natural resources. These resources are managed for their protection and provide the public with a number of recreational opportunities.

**8.4 PRIMARY FACTORS INFLUENCING THE DEVELOPMENT PATTERN**

**Proximity to the Twin Cities Metropolitan and Duluth/Superior Areas**

Growth of the Minneapolis/St. Paul and Duluth/Superior metropolitan areas may eventually influence development in the town. The town’s proximity to the Twin Cities and Duluth/Superior metropolitan areas may in the future result in the construction of seasonal or second homes owned by persons in the metropolitan areas. At present, only three out of the total 66 residents commute to work in the Twin Cities area (4.5%), and two work in the Duluth/Superior area (3.0%)

**Transportation Corridors**

State Trunk Highway 35 provides reliable transportation routes for goods and services and connect the town with outlying communities and larger population centers. A number of commuters use the transportation network to get to work in other communities, primarily in the Town of Swiss (36.4%).

**The Natural Environment**

The Town of Blaine has at least two significant natural resource areas. The Wisconsin Department of Natural Resources (WDNR) is responsible for management of the Namekagon Barrens Wildlife Area in the south-central and north-central portions of the Town of Blaine as part of a twenty-year lease agreement with area landowners. This resource area provides significant natural resources to both plant and animal species. The National Park Service owns

and manages some of the lands adjacent to the St. Croix and Namekagon Rivers. Much of this land has been federally designated as part of the upper St. Croix National Scenic Riverway and is managed by the National Park Service. These natural resource areas contribute to the amount of open space in the community and provide educational and recreational opportunities for residents and visitors.

### **Land Trends**

Throughout Burnett County and conceivably the Town of Blaine, the value of and price paid for land and improved buildings has steadily increased. This increase is not expected to slow as the town is expected to see continued development pressures and demand for area land. Overall, the supply of vacant and improved properties has kept pace with demand.

Equalized values for the town have steadily increased over the past several years. The increase in equalized value is the result of new construction and an increase in property and existing building values. In 1997, the town's equalized value stood at \$11,977,200 and in 2003 it stood at \$29,938,800. This represents a 150 percent increase from 1997 to 2003.

Insufficient data presently exists regarding the recent history of land prices in the town. Such information may be added to the plan once it becomes available.

Due to the vast majority of the land area being undeveloped and rural, it is anticipated the area will continue to see some new construction. Throughout the planning process, public comment and community planning survey results expressed concern regarding an overall increase in several types of development. The potential for future land use conflicts will continue to exist even after the development of this comprehensive plan. It is important the town utilize this plan to guide future development and adjoining and overlapping jurisdictions partner with the town in helping make future land decisions that do not result in land use conflicts.

Currently, there are no open contaminated sites officially identified in the Town of Blaine. Over the twenty-year planning horizon, should sites be identified, redevelopment is encouraged where possible.

### **Existing/Potential Land Use Conflicts**

Existing land use conflicts have been relatively few, largely due to the town's rural character and low-density development. The Town of Blaine is currently unzoned but is under county shoreland and floodplain zoning. The absence of zoning could result in a higher incidence of land use conflicts.

Each county is required to zone by ordinance all shorelands in its unincorporated areas. Burnett County has adopted such an ordinance and has also voluntarily developed a lakes classification system that further defines and strategizes methods to provide additional shoreland resource protection. Such a system places lakes into categories with specific management practices best suited for their types.

## 8.5 ASSESSMENT STATISTICS

In an effort to evaluate local trends in land use activity, property assessment records from the Wisconsin Department of Revenue were reviewed. Property assessment records provide the best available record for documenting changes that have occurred in the town relating to land use activities and can assist in determining the conversion from one type of assessment class to another over a period of time. This analysis examined residential, commercial, manufacturing, agricultural, and forest.

Although this land use section is not reviewing assessment valuations, two changes have been instituted. Beginning January 1, 2004, agricultural forestland and undeveloped land shall be assessed at 50 percent of its full value.

### **Wisconsin Real Estate Class Definitions**

**Residential** – Any parcel or part of a parcel of untilled land that is not suitable for the production of row crops on which a dwelling or other form of human abode is located and which is not otherwise classified by s. 70.32.

**Commercial** – Land where the predominant use is the selling of merchandise or a service. It also includes apartment buildings of four or more units and office buildings.

**Manufacturing** – Land consisting of all property used for manufacturing, assembling, processing, fabricating, making or milling tangible personal property for profit. It also includes establishments engaged in assembling component parts of manufactured products. All manufacturing property is assessed by the Wisconsin Department of Revenue.

**Agricultural** – Land that is devoted primarily to agricultural use, as defined by rule, exclusive of buildings and improvements and the land necessary for their location and convenience.

**Agricultural Forest** – Land that is producing or capable of producing commercial forest products and is contiguous to a parcel that has been classified in whole as agricultural land, if the contiguous parcel is owned by the same person that owns the land that is producing or capable of producing commercial forest products.

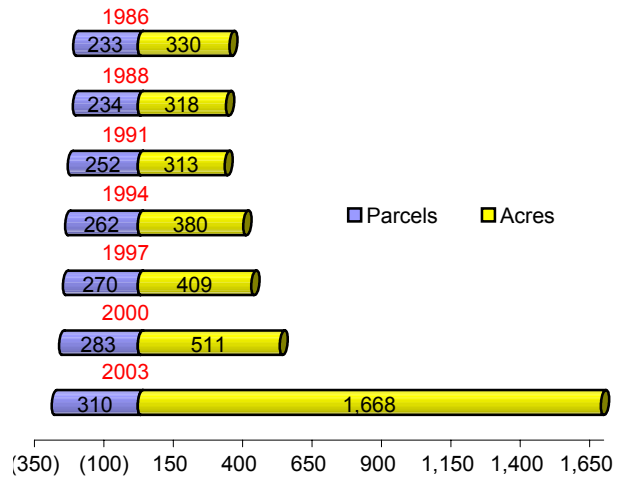
**Undeveloped** – Land this is a bog, marsh, lowland brush, and uncultivated land zoned as shoreland under s. 59.692 and shown as a wetland on a final map under s. 23.32 or other nonproductive lands not otherwise classified. Previously termed as “swamp and waste”.

**Forest** - Land that is producing or is capable of producing commercial forest products.

Other – Means buildings and improvements; including any residence for the farm operator’s spouse, children, parents, or grandparents; and the land necessary for the location and convenience of those building and improvements.

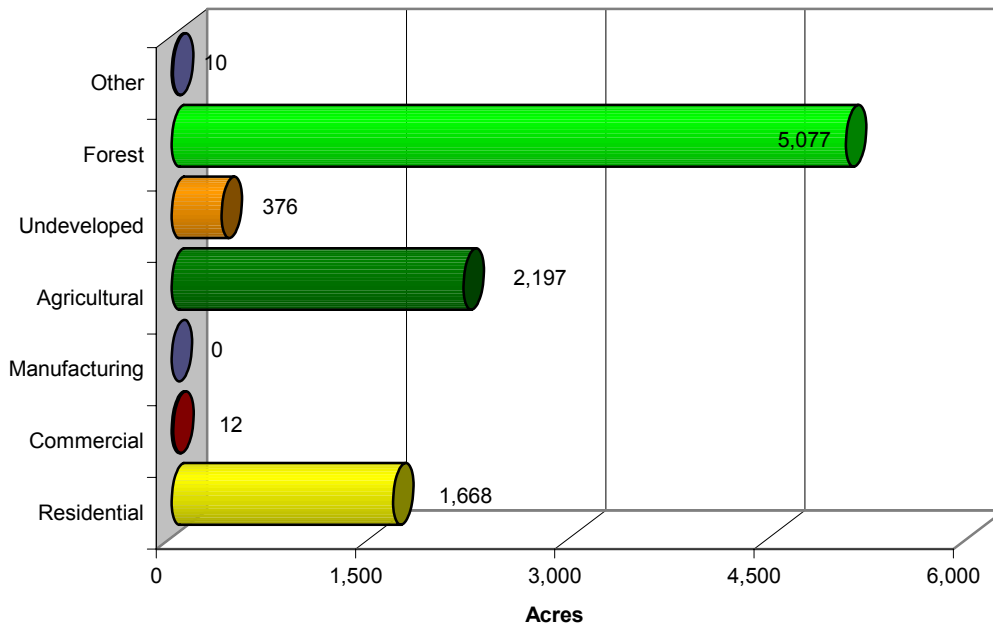
Based on the above classifications, 9,340 acres in the town are assessed to one of the seven real estate classifications listed in Figure 8.1. The town has no assessment coverage for agricultural forest.

**Figure 8.2:  
Residential Assessments**



## 8.6 HISTORIC TRENDS

**Figure 8.1: 2003 Statement of Assessments by Acres**



Source: Wisconsin Department of Revenue

To further analyze trends in land use supply and demand assessment data spanning a number of different years from 1986 to 2003 was conducted. Significant increases in both acres and parcels assessed as residential have occurred over the past several years (Figure 8.2), particularly between 2000 and 2003. Between 1986 and 2003 a total of 77 additional parcels are now assessed as residential, a 33 percent increase. Residentially assessed acreage increased

dramatically between 2000 and 2003 (405%). Prior to this time period, total acreages and parcels fluctuated only slightly.

Agriculturally assessed lands have fluctuated significantly from 1986 to 2003. In 1994, (Figure 8.3), agricultural acreages dropped from 1,700 acres in 1991 to 832 acres, a decrease of 51 percent. However, by 2003, total agricultural assessed acres increased from 917 acres in 2000 to 2,197, a 139 percent increase. Total parcels assessed as agricultural increased from 1986 from 73 to 101, an increase of 38 percent. Lands assessed as forestry parcels and acreage remained fairly constant over the time period 1986 to 2000 (Figure 8.4). Between 2000 and 2003, assessed acreage declined 1,750 acres or nearly 26 percent, and assessed parcels also declined by 66 parcels or 23 percent. This decline in forestry assessed acres may be attributed to the increase in acreage assessed as residential and agricultural in 2003.

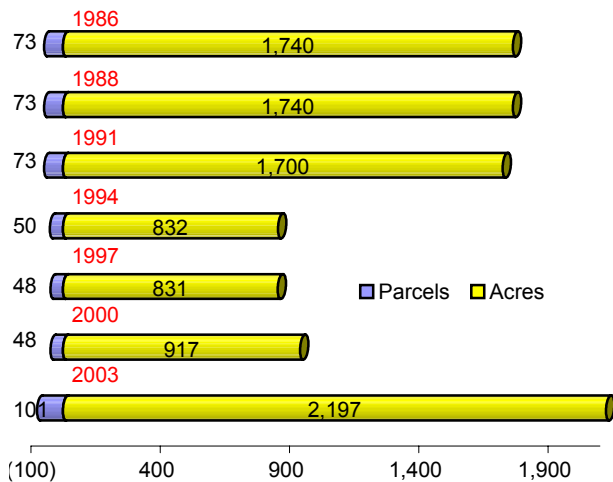
Commercially assessed land and parcels are minimal in the Town of Blaine. There have only been 12 to 13 acres assessed as commercial since 1986. Any major increase in this amount is not anticipated over the 20-year planning horizon.

There are no manufacturing facilities located in the town. This has been the case since 1986 and there are no current prospects for industrial growth in the town at this time.

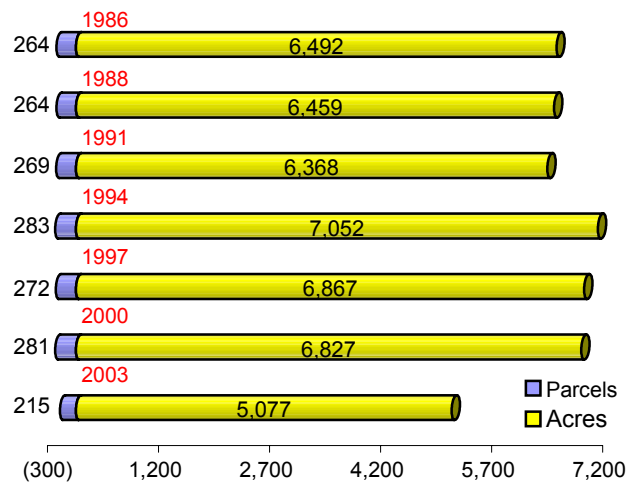
### 8.7 LAND USE REGULATIONS

Zoning is the regulation of the use of land and buildings that permits a community to control the development of its own jurisdiction. Zoning is a locally enacted law that regulates and controls the use of private property by dividing the countryside into districts or zones for agricultural, residential, commercial, industrial, and public purposes. The zoning ordinance then states which specific uses are permitted in each district, and under what circumstances. It provides for orderly

**Figure 8.3:  
Agricultural Assessments**



**Figure 8.4:  
Forest Assessments**



growth by protecting homes and property

from harmful uses on neighboring properties.

The Town of Blaine is currently unzoned but is under county shoreland and floodplain zoning. The town could develop and enforce its own zoning ordinance or adopt the county zoning ordinance. Counties are granted general zoning powers within the unincorporated areas (towns) of the county. However, a general county zoning ordinance becomes effective only in those towns that approve the county ordinance.

### **Shorelands and Wetlands**

The Burnett County shoreland/wetland zoning ordinance establishes development standards for lands adjacent to county surface waters. These standards are based on the lakes classification system, which assigns each county water body into one of three classes (I, II, III). The lakes classification rating is based on the individual characteristics of each lake, with class I lakes requiring minimum protection and class III needing the most. Mapped wetlands are also regulated under this ordinance.

### **Town Enforced Land Use Controls**

The town does not have any designated land use controls or ordinances.

### **General Land Use**

The Town of Blaine has no broad land use controls in place. The town board and planning committee have, from time to time, visited the issue of adopting county zoning, however no action has been taken to date. It is not anticipated that the town will adopt a town or county zoning ordinance in the foreseeable future.

Planning committee members have opted for a “wait and see” approach with regard to future land use controls. With growth projections remaining static in forthcoming years, the committee feels it would be prudent to wait with control measures for future land use decisions until that time when development appears to be a reality and a particular growth direction can be ascertained.

## **8.8 FUTURE LAND USE DEVELOPMENT STRATEGY**

### **Background**

The Future Land Use Map for the Town of Blaine (Map 8.2) provides a visual depiction of the preferred development pattern. This map is intended to serve as a development guide for landowners, the Town of Blaine, and Burnett County. This map, land use category descriptions, and the development guidelines outlined in the Implementation Element will be used to evaluate future development proposals. The future land use map is not a zoning map and does not alter any existing zoning on county controlled shoreland zoning.

The Future Land Use Map is to be used by the Town of Blaine Plan Commission and the town board to review and evaluate future land use proposals.

**How the Map was Developed**

Early in the planning process, surveys were distributed to all landowners in the town with the results of these surveys assisting the town planning committee in defining community issues and opportunities. A series of goals and objectives were developed which embraced the community vision as expressed by the citizens in their responses to the survey. These tools were utilized in conjunction with an analysis of existing environmental, infrastructure, and transportation conditions to determine the most appropriate locations for future growth and development.

Finally, growth forecasts based on the projections found in the Issues and Opportunities and Housing Chapters provided the means to assess future needs related to land use. The combination of public involvement, assessment of conditions, and expected future needs led to the development of the future land use map and supporting narrative.

**Future Land Use Categories**

The Town of Blaine Future Land Use Map delineates broad categories of future land use. These categories are, in some cases, consistent with the existing land use classification and simply represent a continuation of the existing situation. In other cases, the future category may be different from existing land use.

**Redevelopment and Contaminated Sites**

Leaking underground storage tanks (LUSTs) are often a source of localized contamination problems and may pose threats to health and safety. These threats may include: contamination of soil and groundwater; contamination of drinking water; or contamination of lakes, rivers, and streams. Underground storage tanks are regulated in Wisconsin under,

- ❑ **Comm 10** - Wisconsin Department of Commerce's rule governing installation, registration, maintenance and abandonment of petroleum storage tanks.
- ❑ **NR 746** - Applies specifically to sites where petroleum products have discharged from storage tanks.
- ❑ **Comm 47** - Department of Commerce rule that governs reimbursement from Petroleum Environmental Cleanup Fund Act (PECFA).
- ❑ **PCFA** - Wisconsin's reimbursement program for eligible costs of cleaning up contamination from leaking underground and aboveground petroleum storage tank systems, administered by the Department of Commerce.

Table 8.2	
Contaminated Sites in the Town of Blaine	Type and Status
Robertson's Bar, 34002 State HWY 35	Groundwater Closed

The Wisconsin Department of Natural Resources has jurisdiction over LUST sites within Burnett County, while the Department of Commerce has jurisdiction over sites. Table 8.5. The siting of land uses should consider the potential negative impact of LUST sites and other pollution hazards. Wisconsin's corrective action rules (NR 140 & NR 700 series) define the process for management of environmental discharges from the time of discovery until site closure. Soil and

groundwater clean up standards under these rules are ‘risk-based’ with consideration of individual site conditions.

### **Closed Sites with Groundwater Contamination**

The Wisconsin Department of Natural Resources GIS registry of closed remediation sites indicates one site of known groundwater contamination. Only closed sites with groundwater contamination remaining above chapter NR140 enforcement standards or soil contamination above NR720 residual contaminant levels are included in this registry.

### **Redevelopment & Smart Growth Areas**

Wisconsin Chapter 66 planning legislation requires local communities to explore and plan for redevelopment options such as infill housing, brownfield sites, and obsolete buildings. Local communities are also responsible for identifying potential “smart growth areas” or areas with existing infrastructure and services in place where development and redevelopment can be directed. These areas may also be recently developing land contiguous to existing development that will be developed at densities that will have relatively low public service costs.

The plan does not specifically identify any particular area or parcel in the Town of Blaine in need of redevelopment. The vast majority of the town is currently undeveloped.

## **8.9 FUTURE TRENDS IN THE TOWN OF BLAINE**

Several factors will lead to the continued development activities associated with residential development and limited development of commercial activities in the town. These factors are considered, in part, for the projected rise in population and the continued demand on area land for development purposes.

- The year-round population of the Town of Blaine will continue to rise.
- The number of seasonal-residents is expected to remain relatively constant.
- The demand for rural land will continue to increase, coupled with the demand for larger tracts of land.
- Land prices and taxes will continue to rise.
- State and federal agencies may purchase additional land thereby reducing the town’s overall tax base.

## **8.10 GROWTH FORECASTS**

In an effort to assist the town in identifying the potential build-out of residential, commercial, industrial, and agricultural activity, projections to 2025, in five-year increments, have been developed. These projections are based on factors including population and assessment data.

## **Residential**

The projected population indicates the town will continue to see little change in population during the 20-year planning horizon.

**Table 8.3: Population & Housing Projections, 2000-2025**

	2000	2005	2010	2015	2020	2025
Population	224	231	236	238	237	234
Average Household Size	2.31	2.26	2.19	2.13	2.08	2.03
Households	97	102	108	112	114	115
Owner-Occupied	87	91	97	100	102	103
Renter-Occupied	10	11	11	12	12	12
Seasonal Units	135	142	150	156	159	160

Source: U.S. Census Bureau, NWRPC, and the Wisconsin Department of Administration

The number of owner-occupied units by the year 2025 is projected to be 103, an 18 percent increase over 2000 figures. The number of seasonal homes is expected to increase slightly by 25 units by 2025. The small projected increase in year-round units is due, in part, to the steadily decreasing average household size and limited projected increase in population.

Acreage requirements for residential growth are a factor of both number of housing units required and housing unit density. Table 8.4 reflects the varying acreage requirements for residential growth based on different housing unit densities. An average housing density of five and ten acres is probably the most logical for predicting future land needs and has been suggested by the Town of Blaine Planning Committee for future residential land use considerations. The function of Table 8.4 is to show how differing development densities can impact the overall community land base. Due to the lack of anticipated growth in population over the 20-year planning horizon, one would not expect a significant need for additional acreage in the residential sector.

**Table 8.4: Potential Acreage Required for Residential Housing Units 2005-2025**

Average Density (Acres)	2005 Potential New Units	2005 Acres	2010 Potential New Units	2010 Acres	2015 Potential New Units	2015 Acres	2020 Potential New Units	2020 Acres	2025 Potential New Units	2025 Acres	Total Acres 2005-2025
<b>40</b>	12	480	15	600	10	400	5	200	2	80	1,760
<b>20</b>	12	240	15	300	10	200	5	100	2	40	880
<b>10</b>	12	120	15	150	10	100	5	50	2	20	440
<b>5</b>	12	60	15	75	10	50	5	25	2	10	220
<b>3</b>	12	36	15	45	10	30	5	15	2	6	132
<b>1</b>	12	12	15	15	10	10	5	5	2	2	44

### **Commercial**

Based on past trends, little additional commercial land use activity is projected to occur. Commercial acreage assessment has remained constant at twelve to thirteen acres since 1986. As a result, projections do not indicate any increase in commercial acreage over the next twenty years.

### **Manufacturing**

Based on past trends, little additional commercial land use activity is projected to occur. There has been no manufacturing acreage assessment in the town since 1986. As a result, projections do not indicate any increase in manufacturing acreage over the next twenty years.

### **Agricultural**

Based on very recent trends, agricultural acreage assessments increased substantially from 2000 to 2003. However, agricultural acreage assessments since 1986 have been very erratic overall and do not show any clear direction. The Town of Blaine has actually seen an increase in agriculturally assessed parcels and acres in the last several years, 73 to 101. The need for additional agricultural acreage in the future is difficult to ascertain as a result of the erratic historical data preceding the upcoming 20-year planning horizon. Again, this may be the result of tax assessment breaks that the assessed value agricultural land receives. Planning committee discussion has surmised that little change is expected.

## **8.11 LAND USE GOALS, OBJECTIVES, ACTIONS, POLICIES, AND PROGRAMS**

A set of recommended goals, objectives and action steps has been developed to assist the town with existing and future land use activities.

**Goal: Promote a coordinated, planned development pattern consistent with the rural character of the town**

### **Objectives and Action Statements:**

- 1: Develop billboard regulations.
  - a. Develop an ordinance regulating billboard and sign standards.
- 2: Develop plan to deal with commercial and residential siting issues.
  - a. Prepare a siting and development plan to serve as a guide for new development.
- 3: Control light pollution.
  - a. Prepare an ordinance dealing with commercial and residential lighting use.
- 4: Investigate the use of county zoning in the town.
- 5: Ensure the protection of wetlands.
  - a. Educate future developers as to the restrictions inherent to wetland areas.

- 6: Promote the development of parks.
  - a. Investigate the use of available lands for future park use.
- 7: Require adequate building setbacks from roads.
  - a. Develop and enforce regulations for setbacks from roads.