Fall

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UW Extension

THE LAND USE DIGEST

BENEFITS OF WALKABLE COMMUNITIES

Walking is beneficial to people's health, to community vitality, and to the environment. According to a report prepared by the Maine Development Foundation, "walking improves community interaction as people are more likely to talk with neighbors and shop in local stores when they are walking through a community." Walkable communities also provide economic benefits. Some of these benefits are presented below.

Housing Values are Higher Where it's Walkable
A 1999 Study by the Urban Land Institute of four new pedestrian communities determined that homebuyers were willing to pay $20,000 more for homes in walkable areas compared to similar homes in surrounding areas. New Urbanism (walkable) communities enjoy significantly higher housing values than traditional suburban developments. In a growing number of small and medium sized cities, downtown condominium and townhouse prices and apartment rents command a premium over comparable suburban, auto-dependant real estate.

Walkable Communities Cost the Taxpayer Less
The federal Office of Technology Assessment estimates that a single house built on the urban fringe requires $10,000 more in public services than one built in the urban core.

Walkability Attracts Tourists
Communities and their downtowns that are walkable are capturing a greater share of tourist dollars as visitors are interested in experiencing community

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The Germantown Village Hall.

DESIGN MAKES A DIFFERENCE

Design is more than how a building site looks. It also includes architectural style and materials; landscaping; traffic access, circulation and parking; pedestrian access and safety; personal and property safety; integration into the existing neighborhood; orientation and setbacks on the lot; orientation in regard to sun, wind, drainage, and viewsheds; surface grading; and more.

Rarely do all of these considerations come together properly by happenstance. Bad design ends up costing citizens in many ways. Perhaps a neighboring home is flooded due to a development that was designed contrary to logical drainage patterns. Maybe criminal activity is made easier by poor lighting or views. An automobile driver may lose his life due to a poorly designed traffic access or circulation pattern. Potential tourists may take their business elsewhere – where natural resources remain uncluttered by signage. Business and jobs may locate in more inviting locations.

Many communities, desperate for *any* kind of economic development, are reluctant to enforce design standards for fear that prospective companies and businesses may look elsewhere. Allowing substandard design, however, may actually work *against* such a community if the community's image suffers to the point that it can no longer attract quality development. It's a bit of a contradiction, but many developers and investors, while balking at high design standards for their own sites, are most attracted to locations where the very same high-quality standards have been followed by existing developments. ■ *K.S.*



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First Norquist, Then Belling

Before I get started, thanks to the nearly two dozen of you who sent me your email addresses requesting digital copies of future newsletters. That's about 5% of my mailing list, which will help me save a few bucks on paper and postage. Others can still email me at the address on the back of this newsletter and make the same request.

In October I attended the Upper Midwest Planning Conference in Milwaukee. One of the guest speakers was Democratic Milwaukee Mayor John Norquist. With a few decidedly liberal comments mixed in, his presentation focused on the pedestrian-scale redevelopment that has taken place within Milwaukee the last several years and how this type of development is preferable to the sterile, sprawling suburban development that has afflicted Brookfield and Waukesha. One of the mayor's slides showed the view down Wisconsin Avenue toward the splendid new Calatrava-designed addition to the Milwaukee Art Museum — interrupted only by the orange, steel-beamed "sunburst" sculpture that has been the target of criticism by, among others, conservative Milwaukee radio commentator Mark Belling, a man at the opposite end of the spectrum from Norquist.

Little did I know that I would soon get a chance to sit and hear Belling speak. December 3rd I will be attending the Dairy Business Association's 4th Annual Business Conference in Madison to learn more about solutions to the complex issue of siting large livestock facilities in our state. Belling will be giving a keynote address entitled "Uncommon Commonsense for Wisconsin's Dairy Industry." Should be interesting. I may have ideological whiplash by the time I'm done!

Have a good holiday season! ■



Di Suvero's orange "The Calling" sculpture stands in front of the Calatrava addition to the Milwaukee Art Museum. Some people like it, and others hate it.

[continued from bottom left column of front page]

life. Places where visitors and residents alike feel community pride and activity are increasingly likely to be strong economically.

Making Your Community More Walkable
According to Dan Burden of Walkable Communities, Inc, characteristics of a walkable community include:

- Intact "center" with a quiet, pleasant main street containing a healthy set of stores
- Residential densities including mixed income and mixed uses near the community center
- Many public places for people to assemble, play and associate with others within their neighborhoods
- Universal design that respects and accommodates people of all abilities
- Traffic on main street and in neighborhoods that moves at safe, courteous speeds
- Streets and trails that are well linked, often in a grid or other highly connected pattern
- Design that is properly scaled, allowing most residents to get to most services in a quarter mile (walking distance)
- The community "thinks small" with caps on parking and store size

According to Burden, wealth doesn't necessarily ensure walkability. "Some of the best places in America—one of my favorites is Littleton, New Hampshire—are very basic. They can't afford a lot so they just take care of what they've got."

Besides the community and economic benefits, walkable communities also provides easy, inexpensive, and low-impact exercise that can improve the overall health of residents. ■ *Article summarized by Bill Ryan of the UW-Extension Center for Community Economic Development.*



Brighton, Michigan combated a speeding problem on a particular street by painting the pavement a coral color — a proven traffic calming method — 7 feet out on either side. Within a week speeds were 7 mph slower at a cost of $25,000 for 1.5 miles of treatment.

NEW RURAL DEVELOPMENT CONSUMES LAND OPEN TO HUNTING IN THE PAST

Deer hunting season is upon us. While there seems to be no shortage of deer, a familiar lament this time of year from hunters is often related to the dwindling amount of land available for hunting.

In some cases, land available for hunting has been curtailed by landowners who, for whatever reason, have closed their lands to hunters. That's their choice, of course, and it may have little or nothing to do with residential development.

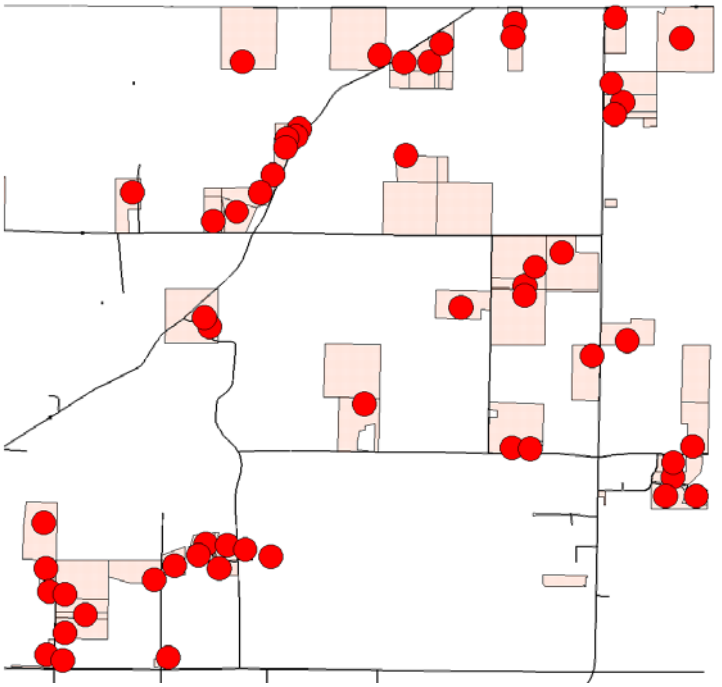
However, there's ample evidence that at least a part of the reason for dwindling hunting lands is the increase in the number of new homes in rural areas and how widely spread out they are across the landscape.

The map on this page is a typical example of the impact of rural residential development in an area town over the last 30 years or so. The small circles indicate the 100-yard zone around a home that is, according to state regulations, generally off-limits to discharge from firearms. This particular map shows only the circles for homes built since 1970. There would be many more circles if all of the existing homes were shown.

The shaded rectangular areas on the map are the parcel boundaries of the lots created for the homes built since 1970. While these shaded areas may still be open to hunting, there's a substantial chance they have been closed by the new owners, who likely came from urban areas not used to having hunters walking through their neighborhoods.

Looking at the map, it is plain to see that relatively recent development has "shot holes" in many previously unbroken tracts of hunting land. Whether this is good or bad depends on individual perspectives. For people wanting to move out into the country and enjoy rural living, this development pattern is just fine. For those who have been used to hunting in these areas, the recent development pattern is not so welcomed.

A study funded by the U.S. Fish and Wildlife Service, tried to examine the underlying causes behind decreasing hunting access on private lands. The Hunting Ethics/Land-Access Project (HELP) consisted of eight focus groups in which hunters and landowners from across the country shared their views and experiences relating to public hunting access and opportunities on private lands. The project also surveyed corporate landowners and state agencies for insights into land-access issues.



Residential development since 1970. This map shows about one-quarter of a rural town (3 miles by 3 miles) in the Sheboygan-Washington County area.

Results of the study indicate that sprawl is a much greater threat to America's hunting tradition than many people realize.

The Izaak Walton League's Outdoor Ethics Program Director Joshua Winchell says sprawl is not only a hunting issue, it is *the* fundamental issue facing hunters today — more threatening than animal rights groups or gun control advocates. "The rural and agricultural landscape provides habitat not only for wildlife but for hunters," Winchell said. "As that landscape is converted and suburban sprawl takes over those lands, the habitat hunters require is destroyed. At some point, if suitable habitat is no longer accessible, arguing with animal rights or gun control groups will become a moot point. The activity of hunting will simply die out."

As development takes lands traditionally available for hunting, it also creates added pressures on those lands that remain. More hunters are forced to compete for opportunities on fewer and fewer remaining lands, and the threat of poor hunter behavior becomes a very real concern. Ironically, such behavior in turn may lead to more restrictions on hunting access — even if only a few hunters are at fault. Unethical or inconsiderate behavior may convince landowners to restrict or ban hunting altogether. So the poor behavior resulting from hunter overcrowding may cause more restrictions on hunting access, which leads to even more overcrowding. ■ *K.S.*

HOW ARE ANNEXATIONS INITIATED?

Annexation is the process for transferring lands from unincorporated areas (towns) to contiguous incorporated areas (cities and villages). In Wisconsin, annexations are typically initiated by landowners, and not by villages or cities. There are two primary methods by which annexation usually occurs.

1.) Direct annexation by unanimous approval
This is the most common form of annexation. It involves a single property owner or group of contiguous property owners who decide to have property they own in a town annexed to a city or village.

This process begins with a petition signed by all of the qualified electors residing in the territory to be annexed and the owners of all of the property included within that territory. To accept an annexation, the city council or village board adopts an annexation ordinance by a two-thirds vote of its members.

2.) Direct petition for annexation by 1/2 approval
A one-half approval annexation begins when a landowner or group of landowners publish in a newspaper a class 1 notice of "intention to circulate an annexation petition."

This petition must be signed by a majority of qualified electors in the territory to be annexed and either the owners of one-half of the real property in value or in land area.

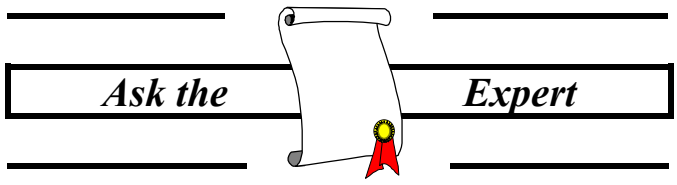
This type of annexation process makes it possible for a majority of landowners who may not be directly adjacent to a city or village to "force" other landowners in between them and the city or village to be a part of the annexation.

There are also other less frequently used methods, including annexation by court-ordered referendum and attachment as a result of a boundary agreement.

Annexation by court-ordered referendum allows a city or village to initiate an annexation proceeding for contiguous, unincorporated territory by asking the circuit court to order a referendum. This method is rarely successful, since a majority of the electors and landowners within the territory proposed to be annexed must vote in favor of the annexation.

To promote stability along borders, a **boundary agreement** between a town and a city or village typically specifies lands within the town that will eventually become part of the city or village. Depending on the type of agreement, landowners within these specified areas may or may not have a vote in whether their lands become part of the city or village. ■ *K.S.*

[Based on input from Erich Schmidtke, planning analyst with Wis. Dept. of Administration, and "Annexation of Territory to Wisconsin's Cities and Villages," by the League of Wisconsin Municipalities, 1998.]



(Answer based on input from selected "experts" in the field of growth management.)

Question: How are decreased tax revenues recovered when legislation such as use-value assessment lowers the amount of tax revenues collected from eligible agricultural lands?

Answer: A February 2003 report issued by the Wisconsin Taxpayers Alliance found an estimated $644 million in property taxes were shifted from agricultural to other classes of property from 1996 to 2002.

In some cases, the tax burden was shifted to the residential and non-agricultural lands owned by the very same farmers benefiting from the break on their agricultural lands. The net decrease in a typical farmer's overall tax bill was therefore not as significant as might have been expected.

In many other cases, the shift was borne by other taxpayers. Specifically, the local town tax levy had to either be reduced or additional revenues had to be collected from the residential, commercial, and manufacturing property owners within the town.

The remainder of the tax levy, however — the part for the county, schools, and the technical college, is also paid for by residents living outside the towns where use-value assessed agricultural lands are located. This shortfall is made up by not only town residents and businesses but also city and village residents and businesses.

During 2000-2001, taxes on non-agricultural lands increased 1.5% in Sheboygan County due to the use-value assessment shift. In Washington County the increase was 2.3%. For the state as a whole, the shift averaged 2.2%.

Under Wisconsin's new Open Space Protection Act, effective in 2004, "swamp and waste" lands will be reclassified to "undeveloped lands," and assessed at 50% of their value. Certain woodlands will also be assessed at 50%. The state's Legislative Fiscal Bureau has estimated that the new tax breaks on agricultural forest and undeveloped land will result in a tax shift of 13 cents per $1,000 of property value to other types of property. ■ *K.S.*



NEWS & EVENTS

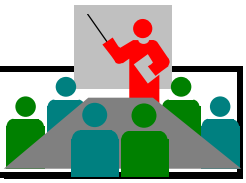
SE Wisconsin Woodland Owners Conference
15th annual conference takes place Saturday, January 31, 2004 at the Country Inn Hotel and Conference Center in Waukesha. This all-day event is filled with presentations and displays designed to help woodland owners manage their forest for recreation and income.

This year's theme celebrates "100 Years of Wisconsin Forestry" and includes sessions on private property rights, tree planting, Wisconsin's forest history, what's killing your trees, timber harvesting and marketing, influencing forest policy, and changes to the state's Managed Forest Tax Law Program. Commercial and public sector exhibitors will also show and discuss forestry related products and services. Learn more about Wisconsin Woodland Assistance on the Web at http://clean-water.uwex.edu/woodland/

Contact Milwaukee County UW-Extension at 414-290-2400 to register. Fee is $38 per person or $72 per couple, if you register before January 16. The fee includes all materials, breaks, and lunch.

Local Land Trusts Name New Leaders
The Ozaukee-Washington Land Trust has named Shawn Graff to replace Steve Seyfert as Executive Director. Steve leaves after seven productive years to pursue other interests. Shawn, president of Graff & Associates, a Slinger firm specializing in historic preservation, is a former executive director of the Pabst Mansion in Milwaukee and past president of the Wisconsin Trust for Historic Preservation.

The Sheboygan Area Land Conservancy named Jon Colby as the new president of its board of directors. Jon, a former executive at Kohler Company and Culligan, US Filter, is currently an Instructor - Adult Education at Concordia University. Past president Mike Sorenson's term expired in September after six years of dedicated service.



Consultant's Corner . . .

(Each newsletter will spotlight a different consultant. Appearances by consultants in this newsletter does not constitute an endorsement by UW-Extension.)

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Elected and appointed officials, especially those in smaller communities, are assuming a greater role in day-to-day operations and long-range planning for their communities. This is especially true for those activities that involve growth and development. In addition to providing a full range of municipal services, OMNNI Associates has an experienced team of professionals who can help you run your community better. Services include:

- Smart Growth Comprehensive Plans
- Subdivision and Site Plan Review
- Zoning Ordinance Development and Amendment
- Re-zoning Application Review
- Capital Improvements Planning and Budgeting
- Grant Writing
- Staff Services for Boards and Committees
- Keeping you informed about federal /state programs that affect your community
- Developing Public Information Material
- Facilitating Community-wide Meetings and Hearings

OMNNI Associates is currently developing the Smart Growth Comprehensive Plan and Extra-Territorial Zoning Ordinance for the Village of Slinger. For more information see our project web site www.omnni.com (click on PROJECTS and select Slinger).

People Focused Planning
Every successful community plan begins with a vision. Making that vision a reality requires meaningful communication among residents, community leaders, and other affected parties, along with experienced planning professionals. That's why OMNNI developed *"People Focused Planning,"* the public involvement activities that encourage constructive participation throughout the planning process and the development of a plan that reflects community needs and goals.

Founded in 1968, OMNNI Associates provides engineering, architecture, environmental and planning consulting to both the public and private sectors. ■



Open Records Law
- Quiz -

True or False?

If a public record contains both information that is subject to disclosure *and* information that is confidential, the entire record may legally be withheld.

Answer: False.
The information that is subject to disclosure must be provided, and the information that is confidential must be deleted. Communities may charge a time-and-materials cost for separating this information.

Source: Jim Schneider, Wisconsin Counties, March 2003

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University of Wisconsin-Extension, U.S. Department of Agriculture and Wisconsin counties cooperating.
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