

## Planning Report

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# Year 2025 Comprehensive Plan

## Town of Nasewaupee Door County, Wisconsin

September 2003



**Foth & Van Dyke**  
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Ordinance No. 03-02

AN ORDINANCE TO ADOPT THE TOWN OF NASEWAUPEE YEAR 2025  
COMPREHENSIVE PLAN, DOOR COUNTY, WISCONSIN

The Town Board of the Town of Nasewaupee, Door County, Wisconsin, does ordain as follows:

SECTION 1. Pursuant to sections 62.23(2) and (3) for towns exercising village powers under 60.22(3) of the Wisconsin Statutes, the Town of Nasewaupee is authorized to prepare and adopt a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

SECTION 2. The Town of Nasewaupee Plan Commission, by a majority vote and Resolution No. 03-01, has recommended to the Nasewaupee Town Board the adoption of the document entitled "TOWN OF NASEWAUPEE YEAR 2025 COMPREHENSIVE PLAN", Door County, Wisconsin as its comprehensive plan according to Section 66.1001(2) of the Wisconsin Statutes.

SECTION 3. Numerous public meetings and mailings have been facilitated in conjunction with a public participation plan including a public opinion survey conducted in 1998, regular open meetings of the Plan Commission, meetings of citizen ad-hoc committees, a comprehensive planning workshop held April 8, 2000, 3 public informational meetings held July 26, 2001, January 31, 2002, and April 3, 2003, postcard notification and extensive advertising preceding the public informational meetings and workshops, a town planning web site, 6 planning process newsletters over the course of the project, and a public hearing held August 21, 2003.

SECTION 4. The Nasewaupee Town Board of Door County, Wisconsin, does, by the enactment of this ordinance, formally adopt the document entitled, "TOWN OF NASEWAUPEE YEAR 2025 COMPREHENSIVE PLAN"; Door County, Wisconsin as its comprehensive plan pursuant to Section 66.1001(2) of the Wisconsin Statutes.

SECTION 5. This ordinance shall take effect upon passage by a majority vote of the members-elect of the Town Board and publication as required by law.

ADOPTED this 28<sup>th</sup> day of August, 2003.

Approved by a vote of: 2 ayes 1 nays 0 absent

Published: \_\_\_\_\_

By: Leroy Liebe

Leroy Liebe, Chairman

By: George Whitford

George Whitford, Supervisor

By: Steve Sullivan nay

Steve Sullivan, Supervisor

Attest: Jill Lau

Jill Lau, Town Clerk

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Resolution No. 03-01

**A RESOLUTION RECOMMENDING APPROVAL FROM  
THE TOWN OF NASEWAUPEE PLAN COMMISSION TO  
THE NASEWAUPEE TOWN BOARD TO  
ADOPT THE TOWN OF NASEWAUPEE YEAR 2025 COMPREHENSIVE PLAN**

WHEREAS, Pursuant to sections 62.23(2) and (3) for cities, villages, and towns exercising village powers under 60.22(3) of the Wisconsin Statutes, the Town of Nasewaupee is authorized to prepare and adopt a comprehensive plan as defined in sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes; and

WHEREAS, the Nasewaupee Town Board has committed funding to develop a comprehensive plan for the Town of Nasewaupee; and

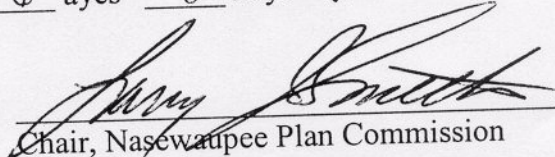
WHEREAS, a Plan Commission was established by the Town Board and participated in the production of the Town of Nasewaupee Year 2025 Comprehensive Plan to guide and coordinate land use decisions and development in the town; and

WHEREAS, numerous forums for public involvement have been held to gather citizen input including public participation workshops, Planning Committee and Plan Commission meetings, a public opinion survey, and ad-hoc committees with citizen members.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Nasewaupee Plan Commission hereby recommends to the Town Board of Nasewaupee the adoption of the document entitled "TOWN OF NASEWAUPEE YEAR 2025 COMPREHENSIVE PLAN" as their comprehensive plan according to section 66.1001(2) of the Wisconsin Statutes.

ADOPTED this 10<sup>th</sup> day of JULY, 2003.

APPROVED by a vote of: 6 ayes 0 nays (1 ABSENT)

  
Chair, Nasewaupee Plan Commission

# Town of Nasewaupee Year 2025 Comprehensive Plan

## Contents

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	Page
1 Issues and Opportunities . . . . .	1-1
1.1 Forward . . . . .	1-1
1.2 Demographics . . . . .	1-6
1.3 Population Trends and Forecasts . . . . .	1-10
1.4 Comprehensive Plan Goals . . . . .	1-18
1.5 Issues and Opportunities Goals and Objectives . . . . .	1-21
1.6 Issues and Opportunities Policies and Programs . . . . .	1-23
2 Housing . . . . .	
2.1 Housing Characteristics . . . . .	2-1
2.2 Housing Projections . . . . .	2-8
2.3 Housing for All Income Levels, Age Groups, and Persons with Special Needs . . . . .	2-13
2.4 Availability of Land for Development/Redevelopment of Affordable Housing . . . . .	2-13
2.5 Housing Stock Maintenance and Rehabilitation . . . . .	2-13
2.6 Housing Goals and Objectives . . . . .	2-14
2.7 Housing Policies and Recommendations . . . . .	2-15
2.8 Housing Programs . . . . .	2-16
3 Transportation Element . . . . .	3-1
3.1 Existing Road System . . . . .	3-1
3.2 Road Functional/Jurisdictional Classification . . . . .	3-3
3.3 Traffic Volume Trends and Forecasts . . . . .	3-4
3.4 Additional Modes of Transportation . . . . .	3-6
3.5 Planned Transportation Improvements . . . . .	3-9
3.6 Coordination with Other Transportation Plans . . . . .	3-11
3.7 Transportation Goals and Objectives . . . . .	3-12
3.8 Transportation Policies and Recommendations . . . . .	3-13
3.9 Transportation Programs . . . . .	3-15
4 Utilities and Community Facilities . . . . .	4-1
4.1 Administrative Facilities and Services . . . . .	4-1
4.2 Schools . . . . .	4-2
4.3 Protective Services . . . . .	4-5
4.4 Quasi-Public Facilities . . . . .	4-6
4.5 Parks and Open Space . . . . .	4-7
4.6 Solid Waste Management and Recycling . . . . .	4-9
4.7 Communication and Power Facilities . . . . .	4-9
4.8 Sanitary Sewer Service/Private Onsite Wastewater Treatment Systems (POWTS) . . . . .	4-9
4.9 Public Water Supply . . . . .	4-10
4.10 Stormwater Management . . . . .	4-11

4.11	Health Care and Day Care Facilities .....	4-11
4.12	Utilities and Community Facilities Goals and Objectives .....	4-13
4.13	Utilities and Community Facilities Policies and Recommendations .....	4-16
4.14	Utilities and Community Facilities Programs .....	4-20
5	Agricultural, Natural, and Cultural Resources .....	5-1
5.1	Soils .....	5-1
5.2	Farmland and Woodland .....	5-3
5.3	Geology .....	5-7
5.4	Topography .....	5-10
5.5	Metallic and Nonmetallic Mineral Resources .....	5-10
5.6	Watersheds and Drainage .....	5-11
5.7	Wetlands .....	5-12
5.8	Floodplains .....	5-14
5.9	Surface Water Features .....	5-15
5.10	Groundwater Quality .....	5-18
5.11	Air Quality .....	5-20
5.12	Environmentally Sensitive Areas .....	5-22
5.13	Threatened and Endangered Species .....	5-23
5.14	Wildlife Habitat and State Natural Areas .....	5-23
5.15	Historic and Cultural Resources .....	5-25
5.16	Agricultural, Natural, and Cultural Resources Goals and Objectives .....	5-30
5.17	Agricultural, Natural, and Cultural Resources Policies and Recommendations ..	5-33
5.18	Recent Agricultural, Natural, and Cultural Resources Plans and Studies .....	5-35
5.19	Agricultural, Natural, and Cultural Resources Programs .....	5-37
6	Economic Development .....	6-1
6.1	Labor Force and Employment Status .....	6-2
6.2	Economic Base Analysis .....	6-7
6.3	Evaluation of Environmentally Contaminated Sites for Commercial or Industrial Use .....	6-14
6.4	Property Tax Base .....	6-14
6.5	Desired Economic Development .....	6-15
6.6	Strengths and Weaknesses Analysis .....	6-19
6.7	Local Employment Forecast .....	6-20
6.8	Economic Goals and Objectives .....	6-20
6.9	Economic Policies and Recommendations .....	6-21
6.10	Economic Programs .....	6-22
7	Intergovernmental Cooperation .....	7-1
7.1	Inventory of Existing Plans and Agreements .....	7-1
7.2	Intergovernmental Cooperation Strategy and Potential Opportunities .....	7-1
7.3	Framework for Intergovernmental Cooperation in Wisconsin .....	7-7
7.4	Analysis of Relationships with Other Jurisdictions .....	7-11
7.5	Plans of Neighboring Jurisdictions .....	7-13
7.6	Potential Intergovernmental Conflicts .....	7-14

7.7	Conflict Resolution .....	7-15
7.8	Intergovernmental Cooperation Goals and Objectives .....	7-15
7.9	Intergovernmental Cooperation Policies and Recommendations .....	7-16
7.10	Intergovernmental Cooperation Programs .....	7-18
8	Land Use .....	8-1
8.1	Existing Land Use .....	8-1
8.2	Land and Resource Protection Programs .....	8-7
8.3	Supply, Demand, and Price Trends of Land .....	8-11
8.4	Projected Supply and Demand of Land Uses Over the Planning Period .....	8-14
8.5	Development Regulations .....	8-15
8.6	Existing and Potential Land Use Conflicts .....	8-16
8.7	Land Use Trends and Growth Pressures .....	8-18
8.8	Land Use Plan .....	8-21
8.9	Preferred Land Use Management Areas .....	8-21
8.10	Open Space Preservation Options .....	8-41
8.11	Land Use Performance Criteria .....	8-44
8.12	Identification of Smart Growth Areas .....	8-48
8.13	Land Use Goals and Objectives .....	8-50
8.14	Land Use Policies and Recommendations .....	8-51
8.15	Land Use Programs .....	8-54
9	Implementation Element .....	9-1
9.1	Action Plan .....	9-1
9.2	Implementation Strategy and Programs .....	9-3
9.3	Planning Element Integration and Consistency .....	9-11
9.4	Mechanism to Measure Community Progress .....	9-12
9.5	Process for Updating and Amending the Comprehensive Plan .....	9-18
9.6	Implementation Policies and Recommendations .....	9-19

## Tables

Table 1-1	Comparative Population Change Town of Nasewaupee and Selected Areas 1970-2000 .....	1-8
Table 1-2	Population By Age Cohort Town of Nasewaupee 1990-2000 .....	1-10
Table 1-3	Population Projections Based on Total Number of Housing Units Town of Nasewaupee 1990-2025 .....	1-14
Table 2-1	Housing Supply Town of Nasewaupee 1980-2000 .....	2-2
Table 2-2	Comparable Housing Unit Costs Town of Nasewaupee and Selected Areas 1990-2000 .....	2-3
Table 2-3	Units in Structure Town of Nasewaupee 2000 .....	2-4
Table 2-4	Year Structure Built Town of Nasewaupee 2000 .....	2-5
Table 2-5	Housing Values of Specified Owner-Occupied Units Town of Nasewaupee 1990-2000 .....	2-6
Table 3-1	Annual Average Daily Traffic Counts Town of Nasewaupee 1992-2001 .....	3-5
Table 3-2	Motor Vehicle Accident Summary Town of Nasewaupee 1999-2001 .....	3-6

Table 5-1	Town of Nasewaupee Land Cover Types .....	5-6
Table 6-2	Educational Attainment of Persons Age 25 and Over Town of Nasewaupee 2000 .....	6-3
Table 6-3	Household Income Town of Nasewaupee and Door County 2000 .....	6-5
Table 6-4	Travel Time to Work of Workers 16 Years and Over Town of Nasewaupee 2000 .....	6-6
Table 6-5	Employment By Industry Town of Nasewaupee and Door County 2000 .....	6-8
Table 6-6	Commuting Patterns Door County 2000 .....	6-9
Table 6-7	Employment By Occupation Town of Nasewaupee and Door County 2000 ....	6-10
Table 6-8	Annual Average Wage Door County and Wisconsin 2002 .....	6-11
Table 6-9	Door County Employment Analysis 1990 and 2000 .....	6-13
Table 8-1	Existing Land Use Town of Nasewaupee 2000 .....	8-4
Table 8-2	Land Impacted by Natural Resource Protection Programs Town of Nasewaupee, 2003 .....	8-7
Table 8-3	Land Supply Based on Existing Land Use Inventory Town of Nasewaupee ....	8-11
Table 8-4	Agricultural Land Sales Door County 1998-2002 .....	8-12
Table 8-5	Forest Land Sales Door County 1998-2001 .....	8-13
Table 8-6	Projected Land Use Demand (acres) Town of Nasewaupee 2000-2025 .....	8-14
Table 8-7	Year 2025 Preferred Land Use Town of Nasewaupee .....	8-23
Table 8-8	Land Use Management Area Development Densities Town of Nasewaupee .....	8-41
Table 8-9	Review Criteria and Community Character Inventory Town of Nasewaupee ...	8-48

## Figures

Figure 1-3	Comparative Population Change Town of Nasewaupee and Selected Areas 1970-2000 .....	1-9
Figure 1-4	Population Trends and WDOA Projections Town of Nasewaupee 1970-2015 .	1-12
Figure 1-5	WDOA Comparative Population Projections Town of Nasewaupee and Selected Areas 2000-2015 .....	1-13
Figure 1-6	Linear Trend Projection Town of Nasewaupee 1990-2025 .....	1-15
Figure 1-7	Comparative Population Projections Town of Nasewaupee 1990-2025 .....	1-16
Figure 2-1	Building Permit Activity Trend for New Residential Housing Units Town of Nasewaupee 1990-2002 .....	2-7
Figure 2-2	Projected Persons Per Household Town of Nasewaupee 1990-2025 .....	2-9
Figure 2-3	Housing Projections Based on Building Permit Activity Town of Nasewaupee 2000-2025 .....	2-10
Figure 2-4	Housing Unit Projection Based on Linear Trend Town of Nasewaupee 1990-2025 .....	2-11
Figure 2-5	Comparative Housing Unit Projections Town of Nasewaupee 1990-2025 ....	2-12
Figure 4-1	Enrollment Southern Door County School District 1996-2002 .....	4-3
Figure 6-1	Unemployment Rate Comparison Door County and Wisconsin 2002 .....	6-4
Figure 6-2	Desired Features of Business Development Site and Building Design .....	6-18
Figure 8-1	Existing Land Use By Percentage of Total Acreage Town of Nasewaupee 2000 .....	8-3
Figure 8-2	Impact of Land/Resource Protection Programs Town of Nasewaupee, 2003 ....	8-8

Figure 9-2 Implementation of the Land Use Management System Town of Nasewaupee . . 9-22

## **Maps**

Map 1-1	Town of Nasewaupee and Surrounding Communities . . . . .	1-3
Map 3-1	Existing Transportation System . . . . .	3-2
Map 4-1	Existing Community Facilities and Services . . . . .	4-4
Map 4-2	Location and History of Sanitary Districts . . . . .	4-12
Map 5-1	Land Cover and U.S.G.S. Quadrangles . . . . .	5-2
Map 5-2	Prime Agricultural Soils . . . . .	5-5
Map 5-3	Geologic Features . . . . .	5-9
Map 5-4	Water Feature Data . . . . .	5-21
Map 5-5	Previously Nominated Unique Natural or Cultural Areas . . . . .	5-29
Map 7-1	Zone of Contribution . . . . .	7-4
Map 8-1	Existing Land Use . . . . .	8-2
Map 8-2	Highway Corridor Business Location . . . . .	8-6
Map 8-3	Natural Resource Protection Programs . . . . .	8-10
Map 8-4	Year 2025 Preferred Land Use . . . . .	8-22
Map A-1	Shoreland Zoning and Preferred Land Use . . . . .	Appendix A

## **Appendices**

Appendix A: Existing Development Regulations

Appendix B: Public Participation Plan

# 1 Issues and Opportunities

The Issues and Opportunities element of the comprehensive plan provides background information on the town planning process and an analysis of the town's population. Public participation efforts, community goals, and forecasts for the future will be discussed.

## 1.1 Forward

*“Our vision is to maintain the rural character and protect natural and cultural resources of Nasewaupee by guiding and focusing development.”*

The Town of Nasewaupee is located on the Door County peninsula along the State Highway 42/57 corridor and borders the City of Sturgeon Bay. The town's 2002 estimated population was 1883. The town is approximately 28,000 acres in size with about 24 miles of shoreline on the waters of Green Bay. Approximately 11% of the town is intensively developed with the predominant land uses being agriculture, woodland, wetlands, and open spaces.



*Views of woodlands and open space from Sand Bay Drive.*

The Town of Nasewaupee wishes to manage anticipated growth and maintain the ability and right to guide its own destiny by strengthening local control of land use decisions. The town wishes to retain its rural identity, but its location in close proximity to the Cities of Sturgeon Bay and Green Bay has provided a steady supply of new development. Although the rate of growth has been moderate, the influence of the Highway 42/57 corridor has accelerated that growth in highly visible parts of the town. In contrast to the highway corridor, most of the town is a quiet farming community with scattered rural residences, businesses, woodlands, and wetlands. Yet another contrast is seen along the shoreline area of the town, where a residential and recreational community exists. Campgrounds, boat launches, a golf course, Potawatomi State Park, and lake shore homes characterize the harbors and bays of the north part of Nasewaupee.

The primary growth management issues facing the town include:

- ♦ The desirability of the town's 24 miles of coastal waters for residential development
- ♦ Conversion and fragmentation of town natural areas and agricultural lands
- ♦ Growth of and annexation by the City of Sturgeon Bay

- ♦ A large and growing seasonal population which significantly increases stresses on public facilities, services, and the environment
- ♦ High vulnerability of local groundwater resources to contamination
- ♦ Business development and sprawl along the State Highway 57 corridor
- ♦ The presence of the following public facilities of regional and state-wide significance: Potawatomi State Park, the Ahnapee State Trail, Door County Cherryland Airport, and Door County Landfill

In order to fund and launch its planning process, the Town of Nasewaupee applied for and received two grants from the Wisconsin Department of Administration. A \$15,000 Comprehensive Planning Grant was awarded by the Office of Land Information Services in 2001 to assist the town in complying with Wisconsin's Comprehensive Planning law (Wis. Stats. 66.1001) commonly known as "Smart Growth." An additional \$15,600 Resource Management and Protection Grant was awarded by the Wisconsin Coastal Management Program in order to assist the town in developing its plan implementation strategy.

This plan has been drafted to ensure compliance with Wisconsin's Comprehensive Planning laws. This legislation provides a framework for a unified land use planning and regulation enabling law for Wisconsin. It is intended to provide local governmental units with the tools to create comprehensive plans, to promote more informed land use decisions, and to encourage state agencies to create more balanced land use rules and policies.

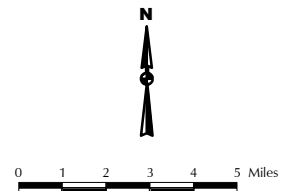
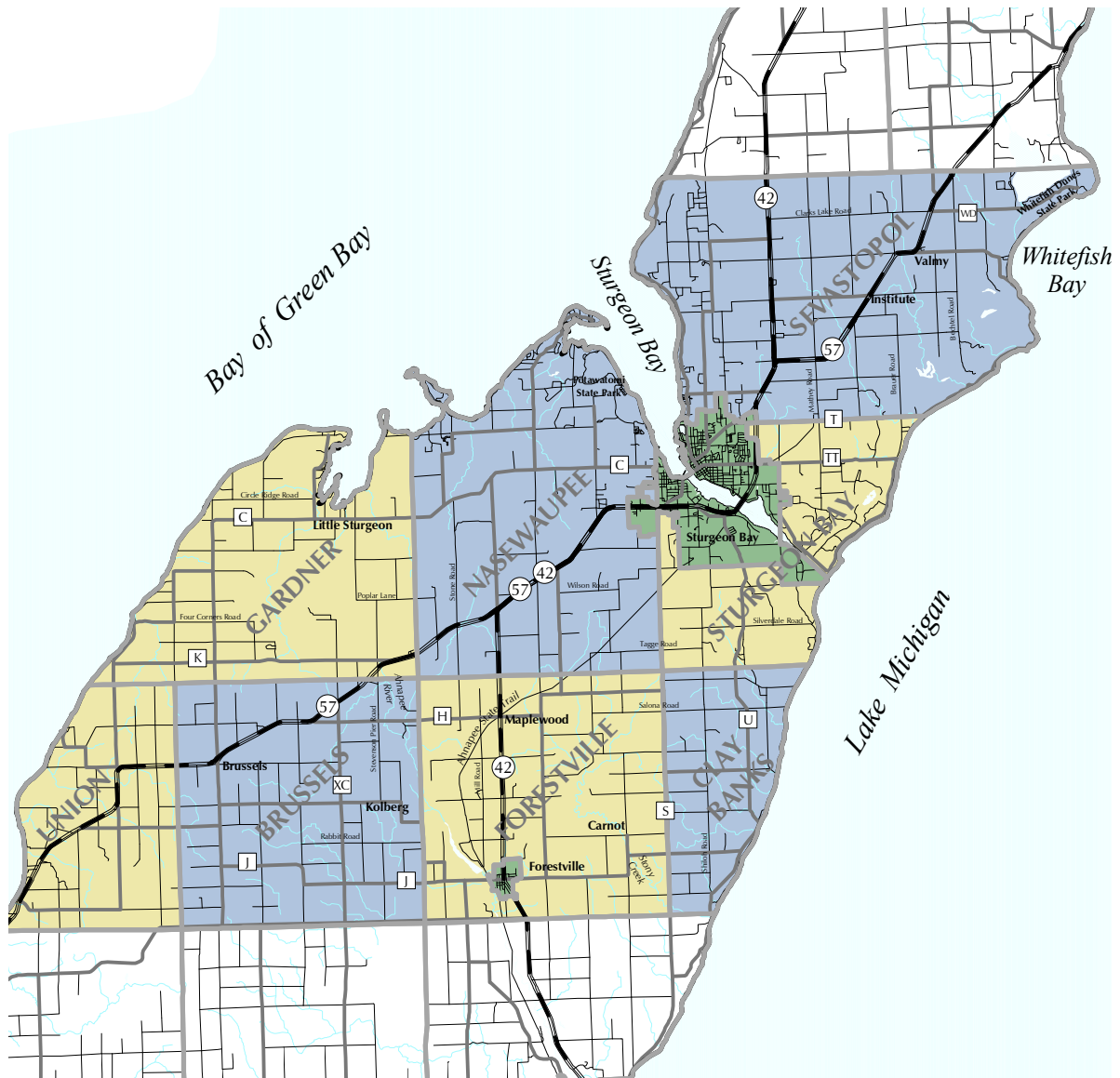
Wisconsin's Comprehensive Planning law:

- ♦ Establishes a definition of "comprehensive plan" which applies uniformly to all cities, villages, towns, counties, and regional planning commissions in Wisconsin. This definition addresses the following nine planning elements: 1) issues and opportunities, 2) housing, 3) transportation, 4) utilities and community facilities, 5) agricultural, natural, and cultural resources, 6) economic development, 7) intergovernmental cooperation, 8) land use, and 9) implementation.
- ♦ Establishes 14 local comprehensive planning goals to guide local planning efforts.
- ♦ Requires the local governing body to adopt written procedures designed to foster public participation through every stage of the planning process.
- ♦ Requires that all programs and actions of local governmental units (counties, cities, villages, towns, and regional planning commissions) that affect land use must be consistent with an adopted comprehensive plan by January 1, 2010.
- ♦ Requires the local governing body to adopt the comprehensive plan by ordinance.

# MAP 1-1

## TOWN OF NASEWAUPEE AND SURROUNDING COMMUNITIES

### Door County, Wisconsin



This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information and data used for reference purposes only.

Source: State of Wisconsin.

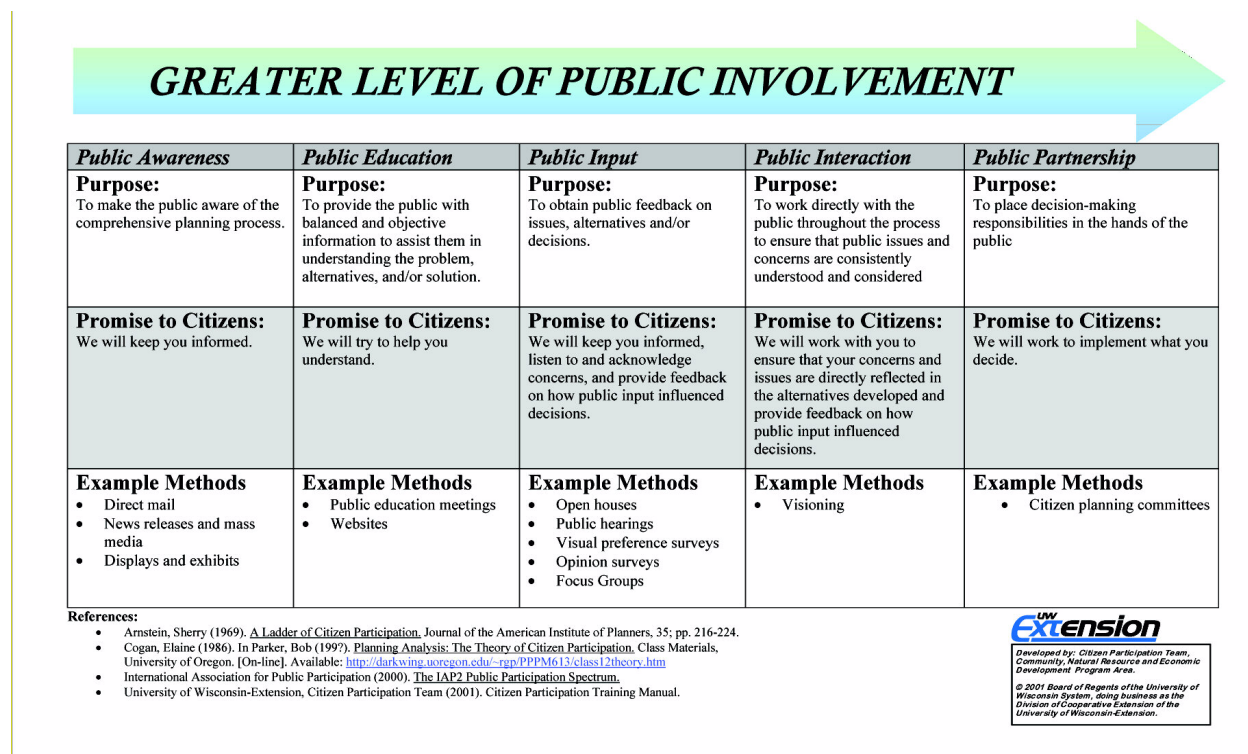


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## Public Participation

Public participation was ongoing throughout the entire Town of Nasewaupee planning process beginning in earnest in the spring of 2000. The town has utilized a variety of public participation methods and has included every level of involvement from public awareness to public partnership as shown in Figure 1-1. The Town of Nasewaupee Public Participation Plan can be found in Appendix B.

**Figure 1-1  
Levels of Public Participation**



Major public participation tools and activities utilized in Nasewaupee included a public opinion survey, newsletters, a planning project web site, bi-monthly plan commission meetings, issue-specific ad-hoc committees, public informational meetings, and a public hearing.

## Public Opinion Survey

A Nasewaupee Land Use Survey was conducted in 1998. This survey sought broad public input relative to the town's natural resources and future growth. The results of this survey were used to provide initial guidance to the comprehensive planning project and to shape future efforts to gather more detailed input.

## **Newsletters**

Newsletters were sent to every property owner in the town at critical points in the planning process. These newsletters gave summary information of completed planning process tasks and were aimed at promoting public awareness. A total of 6 newsletters were mailed.

## **Web Site**

The town maintained a web site throughout the planning process in order to promote public awareness and education. More detailed information was posted on the web site so that interested parties could review draft plan products at their own convenience. Meeting agendas, meeting minutes, maps, reports, and analyses were all posted on the site. The web site was visited more than 2000 times during the planning process.

## **Plan Commission Meetings**

Planning committee, and later, plan commission meetings were generally held monthly throughout the planning process. In the final year of the planning process, the Plan Commission often met two times each month. These meetings were well attended by the public during the final year of the planning process, and every meeting allowed for a public comment period. This time was used to encourage public interaction, and open dialogue between the plan commission members and the public often resulted.

## **Ad-hoc Committees**

Several issues of strategic importance came to the surface during the last year of the planning process. The plan commission and town board felt that these issues were so critical that the planning process was extended in order to establish ad-hoc committees to address them. The ad-hoc committees were composed of plan commission members, town board members, and members of the public that were not otherwise involved in decision making. These committees encouraged the development of a public partnership, as citizens were crafting recommendations that the plan commission later adopted as policy statements. Topics covered by the ad-hoc committees included development densities/minimum lot sizes, intergovernmental cooperation, and codes and ordinances.

## **Public Informational Meetings**

Four public informational meetings were held during the planning process. All property owners in the town were invited to these meetings and workshops where a variety of activities were conducted in order to accomplish public education, public input, and public interaction.

**April 8, 2000 Land Use Management Workshop.** This workshop was held early in the planning process to shape the focus and content of the town's plan. Public input was gathered as participants were asked to respond to questions related to residential

development and housing; farming and farmland; natural, cultural, and recreational resources; community character/atmosphere; economic development; water resources; intergovernmental cooperation; and others. The participants then ranked their support for the ideas that were generated.

**July 26, 2001 Public Informational Meeting.** The results of background data research and a first draft of the town's planning element goals and objectives were presented at this public informational meeting. This meeting was intended largely for public education, as the background data provided the framework for identifying issues and making informed decisions.

**January 31, 2002 Public Informational Meeting.** This meeting was held to gain public input on the town's draft Preferred Land Use Map and draft Land Use Management Area descriptions. These became the primary components of the *Land Use* Element of the comprehensive plan. The concept of a flexible, incentive based implementation system was also introduced in this forum. Feedback on the map, descriptions, and implementation concept were all recorded and taken into account by the plan commission.

**April 3, 2003 Public Informational Meeting.** A final public informational meeting was held in order to educate the public on the town's detailed implementation strategy. Public interaction was encouraged as members of the plan commission were stationed at displays in order to answer questions and draw out concerns. Results of the work of the ad-hoc committees were presented by the citizen members of those committees. A revised Preferred Land Use Map was also presented that incorporated the changes requested at the previous informational meetings.



April 2003 public informational meeting.

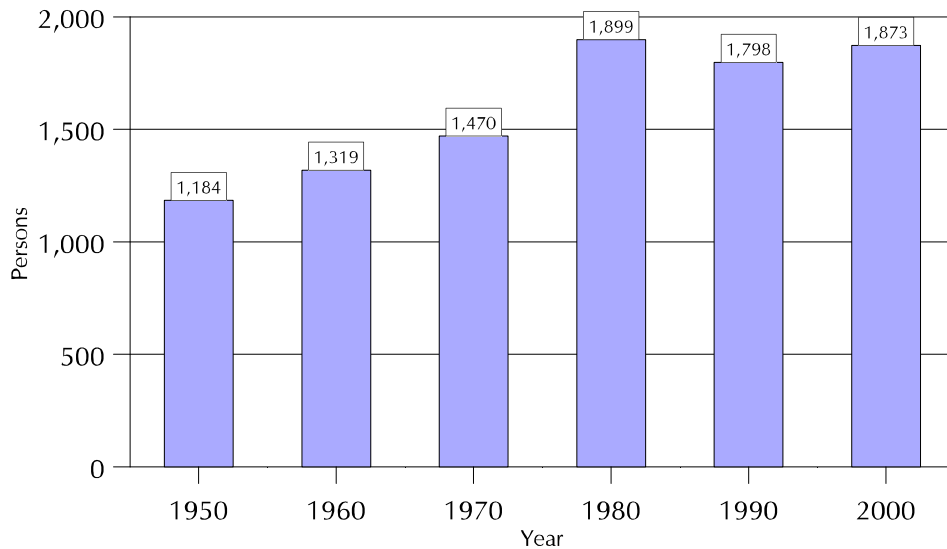
## 1.2 Demographics

### Population Counts

Population change is the primary component in tracking a community's past growth as well as predicting future population trends. Population characteristics relate directly to the town's housing, educational, utility, community, and recreational facility needs, as well as its future economic development. Over time there are fluctuations in the local and regional economy which influence population change. In addition, events such as annexation can significantly impact a community's population base, especially at the town level.

Figure 1-2 illustrates the population trends of the Town of Nasewaupee from 1950 through 2000.

**Figure 1-2**  
**Population History**  
**Town of Nasewaupee**  
**1950 - 2000**



Source: U.S. Census Bureau, 1950-2000.

The Town of Nasewaupee's population has increased overall by 58% between 1950 and 2000. However, the town's population increased to a high of 1,899 persons in 1980, then declined by approximately 100 persons by 1990 and increased slightly throughout the 1990's. The dip in population between 1980 and 1990 was influenced by the annexation of 555 acres of town land by the City of Sturgeon Bay during that time period.

## Comparative Population Counts

Table 1-1 presents a comparison of Nasewaupee's growth from 1970 to 2000 to the Town of Gardner, City of Sturgeon Bay, Door County, and the State of Wisconsin. Similarly, Figure 1-3 depicts the comparative population growth during this period for these selected areas.

**Table 1-1**  
**Comparative Population Change**  
**Town of Nasewaupee and Selected Areas**  
**1970 - 2000**

	1970	1980	1990	2000	% Change 1970-80	% Change 1980-90	% Change 1990-00	% Change 1970-00
Town of Nasewaupee	1,470	1,899	1,798	1,873	29.2%	-5.3%	4.2%	27.4%
Town of Gardner	875	1,084	1,025	1,197	23.9%	-5.4%	16.8%	36.8%
City of Sturgeon Bay	6,776	8,847	9,176	9,437	30.6%	3.7%	2.8%	39.3%
Door County	20,106	25,029	25,690	27,961	24.5%	2.6%	8.8%	39.1%
State of Wisconsin	4,417,731	4,705,642	4,891,769	5,363,675	6.5%	4.0%	9.6%	21.4%

Source: U.S. Bureau of the Census, 1970-2000.

The Town of Nasewaupee has experienced considerable population growth since 1970, increasing by over 25% during this time period. However, the town experienced a slight population decline between 1980 and 1990 (as influenced by a significant loss of town land through annexation), and has remained rather stable with a moderate increase between 1990 and 2000.

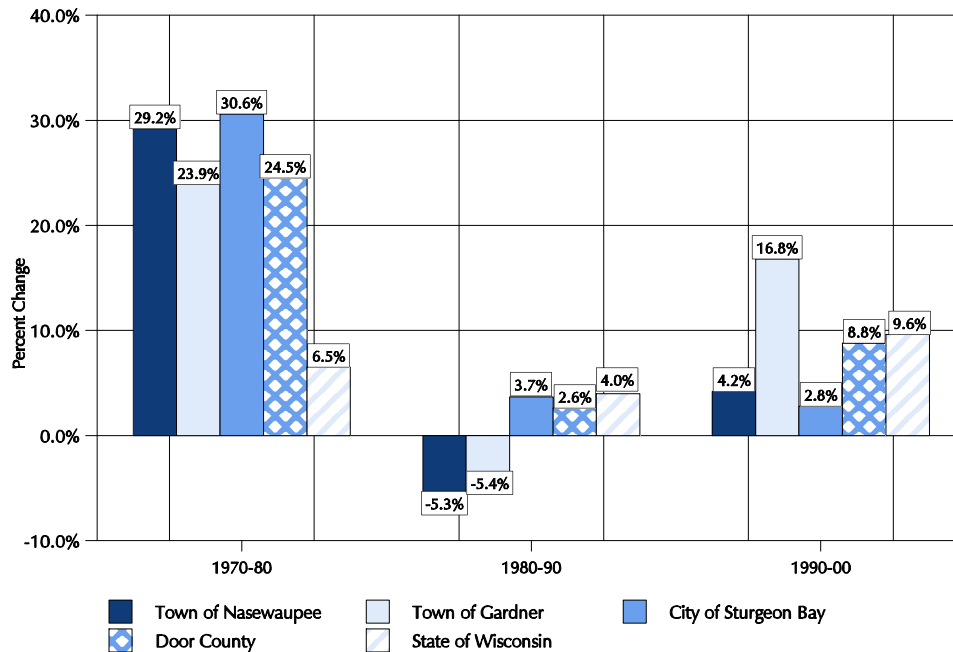
The Towns of Nasewaupee and Gardner, the City of Sturgeon Bay, and Door County saw more growth between 1970 and 1980 than any other decade shown, with growth rates of 20% to 30% in all areas. However this trend was not apparent in the state as a whole which only experienced a population growth of 6.5%. This (population increase 1970-1980) may likely be attributed to the conversion of seasonal housing units to permanent residences at the time of retirement which is a common trend seen in areas commonly associated with tourism.

Comparatively, from 1970 to 2000 the Town of Nasewaupee's population increased at a rate comparable to that experienced in the state of Wisconsin, but was considerably lower than the overall population growth experienced in the Town of Gardner, City of Sturgeon Bay, and Door County.

Another source of population data that can be used in the interim between census counts is the Wisconsin Department of Administration (DOA) population estimate. The DOA completes these estimates in August of each year. The DOA population estimate for the Town of

Nasewaupee in 2002 was 1883 people. Although the WDOA has not completed official population projections based on the 2000 census, if this rate continues until 2010, then population growth will have slowed to 2.7% in the town over the current 10 year period.

**Figure 1-3**  
**Comparative Population Change**  
**Town of Nasewaupee and Selected Areas**  
**1970-2000**



Source: U.S. Bureau of the Census, 1970-2000.

## Population by Age Cohort

Table 1-2 displays by age group, the distribution of the population in the Town of Nasewaupée for 1990 and 2000. A shifting age structure affects a variety of services and needs in the community including housing, elderly care, and schools.

**Table 1-2**  
**Population by Age Cohort**  
**Town of Nasewaupée**  
**1990-2000**

Age	1990		2000		% Change 1990-2000
	Number	% of Total	Number	% of Total	
Under 5	110	6.1%	67	3.6%	-39.1%
5-19	407	22.6%	369	19.7%	-9.3%
20-44	650	36.2%	571	30.5%	-12.2%
45-64	356	19.8%	558	29.8%	56.7%
65+	275	15.3%	308	16.4%	12.0%
Total	1,798	100.0%	1,873	100.0%	4.2%

Source: U.S. Bureau of the Census, 1990-2000.

The age group which increased the most during the 1990s was the 45-64 age group, with a 56.7% increase. This trend is found throughout Wisconsin and is likely to continue as the baby-boomer generation ages and nears retirement. The population decreases in the younger age cohorts may be an indication that new residents are generally older and are generally having less children. The decreases in the younger age cohorts should be noted with regard to planning for school district enrollments or planning for services that are utilized by younger individuals. However, the town must also be aware of the growing need for services to accommodate an aging population. For example, retirement housing and accessible medical care are becoming increasingly important throughout the state. The 2000 median age of residents in the town was 43.3, slightly higher when compared to the State of Wisconsin's median age for 2000 of 36.0.

### 1.3 Population Trends and Forecasts

It is important to note that population projections are based on past and current population trends, and therefore should only be used as baseline information. Actual population levels are subject to the town's geophysical conditions, the tourist economy, local economy, existing zoning restrictions, taxation, annexations, and other political policies which influence business and personal location decisions. For example, the expansion of State Highway 57 from two lanes to

four lanes from Green Bay to the town will likely influence population and housing growth in the town. The significance of this growth will depend on other factors such as those just described and the influence of local planning efforts to manage growth.

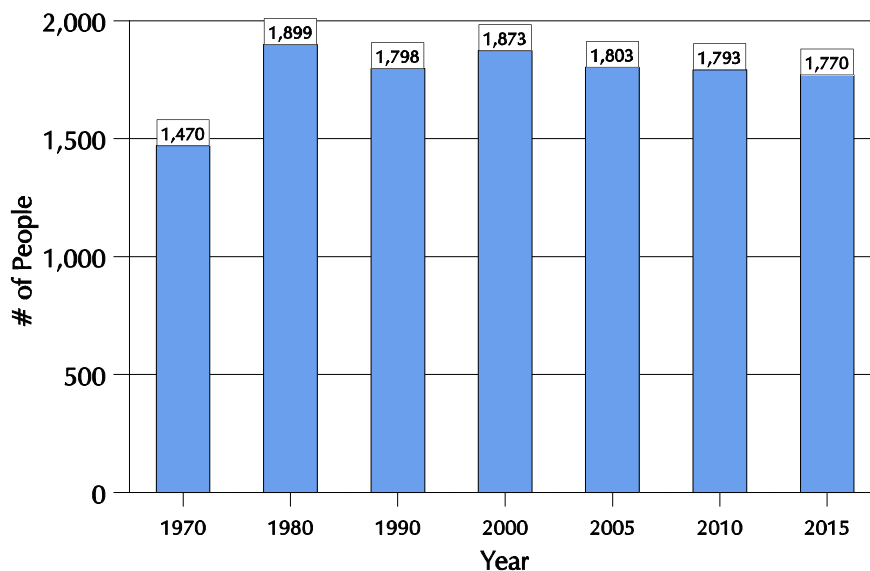
The projections presented in this plan were completed using data from 1990 through the present. Additional data from previous census years (1970 and 1980) may be available in some cases, but these data do not necessarily add to the reliability of the projections. Economic and social conditions often change dramatically from one census period to the next making the most recent decade the best indicator of future trends.

For the purpose of comparison, three population forecasts are provided. Population projections were last completed by the Wisconsin Department of Administration (WDOA) in 1990 and are typically low estimates. A forecast was prepared utilizing the WDOA projected number of housing units which is also based on the 1990 census. And a simple linear trend is presented based on 1990 and 2000 census counts.

## Wisconsin Department of Administration Projections

In 1993 the WDOA's Demographic Services Center prepared baseline population projections to the year 2015 for the communities and counties of Wisconsin. The WDOA utilized a projection formula that calculates the annual population change over three varying time spans. From this formula, the average annual numerical population change is calculated, which is used to give communities preliminary population projections for a future date. As shown in Figure 1-4, the baseline projections prepared by the WDOA predict a slight decrease in the town's population from 1,873 persons in 2000 to 1,770 persons in 2015, a decrease of 103 persons or 5.5%.

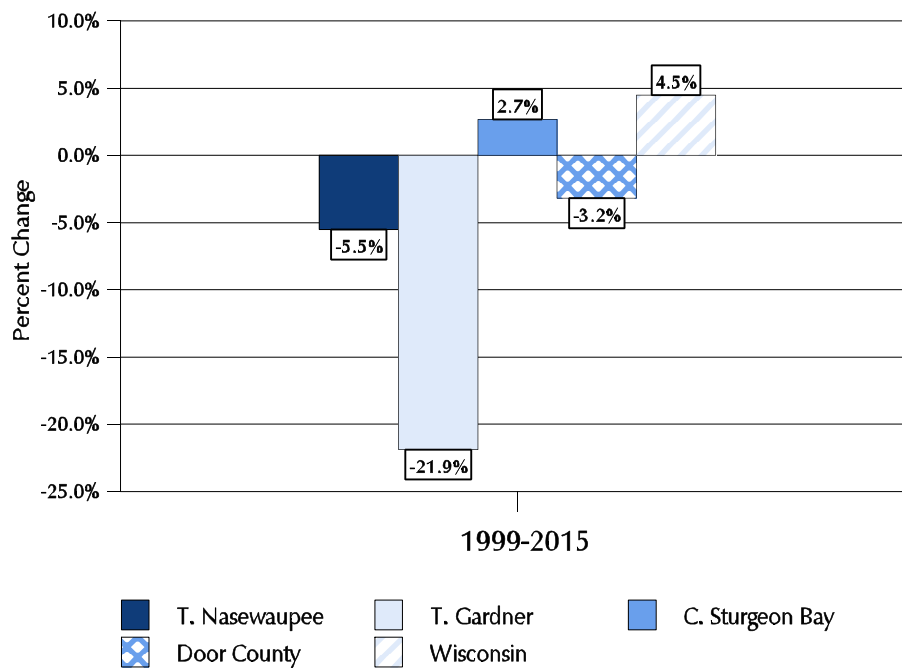
**Figure 1-4**  
**Population Trends and WDOA Projections**  
**Town of Nasewaupée**  
**1970-2015**



Source: U.S. Census, 1970, 1980, 1990, 2000; Wisconsin Department of Administration, Official Municipal Population Projections 1990-2015, June 1993.

Figure 1-5 compares WDOA projected percent change in population from 2000 to 2015 for Nasewaupée to the Town of Gardner, City of Sturgeon Bay, Door County, and the State of Wisconsin. According to the WDOA projections, Nasewaupée, Gardner, and Door County will experience population declines in comparison to overall growth in the city and the state.

**Figure 1-5**  
**WDOA Comparative Population Projections**  
**Town of Nasewaupée and Selected Areas**  
**2000-2015**



Source: WDOA Official Municipal Population Projections 1990-2015, June 25, 1993. U.S. Bureau of the Census, 2000.

## Population Projections Based on Recent Building Permit Data Trends

Table 1-3 presents population projections using Nasewaupée's housing unit counts. Based on this method, the Town of Nasewaupée's population is projected to decrease from 1,873 persons in 2000 to 1,799 persons in 2025. The population projection decrease is primarily due to the estimated decrease in the number of persons per household.

**Table 1-3**  
**Population Projections Based on Total Number of Housing Units**  
**Town of Nasewaupée**  
**1990-2025**

	1990	2000	2005	2010	2015	2020	2025
Total Housing Units <sup>1</sup>	1,263	1,320	1,347	1,375	1,404	1,433	1,462
Occupied Units (58.9% of total units) <sup>2</sup>	700	778	793	810	827	844	861
Persons Per Household <sup>3</sup>	2.57	2.41	2.34	2.28	2.21	2.15	2.09
<b>Total Population<sup>4</sup></b>	<b>1,798</b>	<b>1,873</b>	<b>1,856</b>	<b>1,847</b>	<b>1,828</b>	<b>1,815</b>	<b>1,799</b>

Sources: U.S. Bureau of the Census, 1990 and 2000; and Foth & Van Dyke, 2002.

<sup>1</sup>Total housing units are calculated as follows: a) total units in 1990 and 2000 are taken from the census; b) the years 2005 to 2025 based on linear projections of housing units utilizing the 1990 and 2000 housing unit counts.

<sup>2</sup>The total percentage of occupied units (i.e., year-round) is based on the 2000 U.S. Census level of 58.9%.

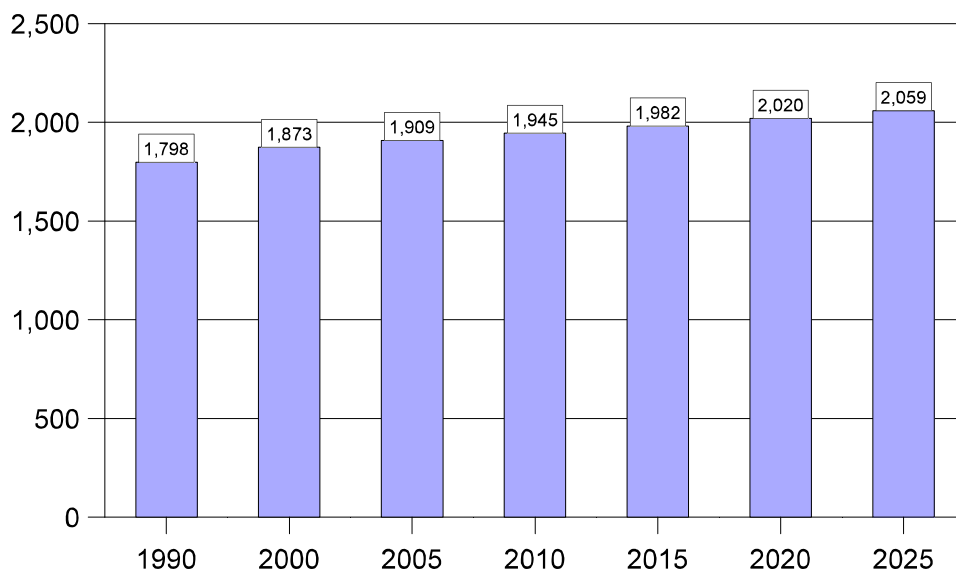
<sup>3</sup>Persons per household are calculated as follows: a) the years 1990 and 2000 based on the census; b) the years 2005 through 2025 are based on the percent change between 1990 and 2000 and linearly projected.

<sup>4</sup>Total population equals the number of occupied units multiplied by the persons per household.

## Linear Population Projections, 1990-2025

Figure 1-6 illustrates the census counts from 1990 and 2000 and a linear projection that was calculated by taking the percent change between the census counts and projecting the trend on an annual basis to the year 2025.

**Figure 1-6**  
**Linear Trend Projection**  
**Town of Nasewaupée**  
**1990-2025**

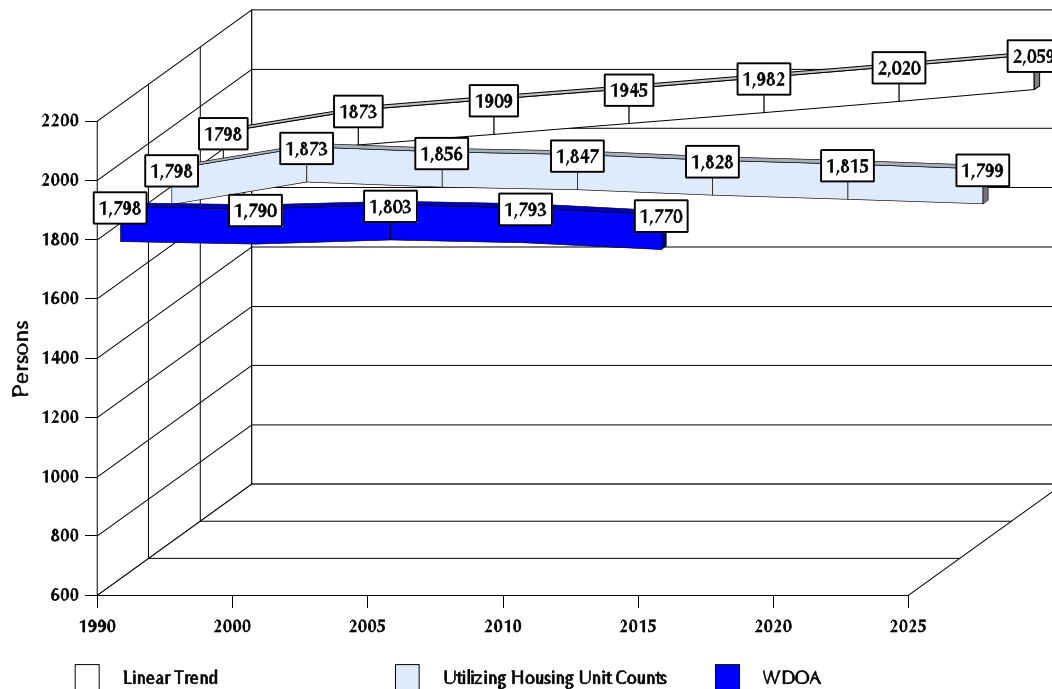


Source: U.S. Bureau of the Census, 1990-2000; years 2005-2025, utilizing % average increase obtained from creating a linear trend based on percent average increase per year from 1990-2000.

## Comparative Population Projections

Figure 1-7 illustrates a comparison of the WDOA population projections, the projections derived from housing unit counts, and the linear trend projections. The figure shows a significant disparity between the projections.

**Figure 1-7**  
**Comparative Population Projections**  
**Town of Nasewaupée**  
**1990-2025**



Source: U.S. Bureau of the Census, 1990 and 2000. For projection methodologies refer the earlier source data footers within this section. Foth & Van Dyke, 2002.

The Wisconsin Department of Administration's (WDOA) Demographic Services Center projects that the Town of Nasewaupée's population will decline (-5.5%) from the 2000 census count through the year 2015.

Population projections based on forecasted number of housing units indicate that the town's population will decline by approximately 4% from 2000 to 2025.

A linear population projection prepared by Foth & Van Dyke indicates that the town's population could increase by 9.9% from 2000 to 2025.

Overall, the population increase that the town experienced in the 1990's is a good indicator of possible future population trends. Nasewaupée's location will likely become increasingly attractive and the development of STH 57 will add to the attractiveness as a quality place to live. Therefore, the linear population projections which indicate a population increase for the area are likely the most accurate.

Population projections alone should not be used as the sole indicator of change that a town can expect over the next 25 years. Many population declines in rural towns can be attributed to decreasing household size. Decreasing household size simply means that fewer people are living in each housing unit compared to several decades ago. Families are getting smaller and more people have second homes. This factor combined with population growth will actually lead to more drastic changes on the landscape than population growth alone. Fewer people are residing in each housing unit, so more housing units are needed to house the same number of people. The result is that housing growth is outpacing population growth in many rural Wisconsin towns. It is not uncommon for housing units to continue to grow even when a population is declining.

## **1.4 Comprehensive Plan Goals**

Goals have a distinct meaning and purpose in the planning program. Objectives, which are located in each element of the plan, also have a distinct meaning and purpose.

- ♦ *Goals* articulate the long-range aspirations of the community and help shape the vision. They represent an end to be sought, although some may never be fully realized.
- ♦ *Objectives* identify the actions the community should take to realize goals. Objectives are stated to provide a means of measurement toward goal attainment. They are attained through the Comprehensive Plan's policies, recommended programs, and implementation strategies.

### **Smart Growth Local Comprehensive Planning Goals**

Wisconsin's Smart Growth Legislation established 14 local comprehensive planning goals to guide state land use actions and local planning efforts. Specifically, local units of government and state agencies are encouraged to design their programs, policies, infrastructure, and investments to strike a balance between their individual missions and the local comprehensive planning goals. The following 14 local comprehensive planning goals were addressed throughout the planning process and within each element.

1. Promote the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial, and industrial structures.

2. Encourage neighborhood designs that support a range of transportation choices.
3. Protect natural areas, including wetlands, wildlife habitats, lakes and woodlands, open spaces, and groundwater resources.
4. Protect economically productive areas, including farmland and forests.
5. Encourage land uses, densities, and regulations that promote efficient development patterns and relatively low municipal, state government, and utility costs.
6. Preserve cultural, historic, and archaeological sites.
7. Encourage coordination and cooperation among nearby units of government.
8. Build community identity by revitalizing main streets and enforcing design standards.
9. Provide an adequate supply of affordable housing for all income levels throughout each community.
10. Provide adequate infrastructure and public services and a supply of developable land to meet existing and future market demand for residential, commercial, and industrial uses.
11. Promote the expansion or stabilization of the current economic base and the creation of a range of employment opportunities at the state, regional, and local levels.
12. Balance individual property rights with community interests and goals.
13. Plan development and land uses that create or preserve varied and unique urban and rural communities.
14. Provide an integrated, efficient, and economical transportation system that provides mobility, convenience, and safety which meets the needs of all citizens including transit-dependent and disabled.

### **Town of Nasewaupee Comprehensive Plan Goals**

The following section contains all of the goals developed by the Town of Nasewaupee to guide the community for the next 20 years. Within each of the respective comprehensive plan elements these goals will be repeated and objectives, policies, and programs for each element are also included.

## **Issues and Opportunities**

- Goal I/O-1: Strengthen local control of land use decisions and maintain the ability and right to guide the town's own destiny.
- Goal I/O-2: Balance appropriate land use regulation and individual property rights with community interests and goals.
- Goal I/O-3: Increase community awareness, support, and involvement in growth management and land and water conservation efforts.

## **Housing**

- Goal HE-1: Accommodate housing types and densities which are consistent with the existing character of town residential neighborhoods and rural lands.
- Goal HE-2: Reduce the inappropriate conversion of town open spaces and resource lands into sprawling, low density residential development.
- Goal HE-3: Provide opportunities for adequate housing supply for residents of all income groups, including housing which is affordable to low and moderate income groups.

## **Transportation**

- Goal TE-1: Provide for a safe, efficient, convenient, and well-maintained, multi-modal transportation network for the movement of people and goods.
- Goal TE-2: Increase safety and use of non-motorized transportation modes.

## **Utilities and Community Facilities**

### **Wastewater Treatment**

- Goal U/C-1: Ensure proper disposal of wastewater to protect ground and surface water supplies.

### **Water Supply**

- Goal U/C-2: Protect and improve the quality and protect the quantity of town's surface and ground water resources to the benefit of fish and wildlife, recreation, and water supply for town homes and businesses.

## **Solid Waste Disposal and Recycling Facilities**

Goal U/C-3: Provide solid waste collection and disposal and effective recycling services that protect the public health, the natural environment, and land use quality.

## **Parks and Recreation**

Goal U/C-4: Provide and maintain a balanced system of parks and recreational facilities that responds to the recreational, cultural, and environmental needs and desires of the community.

## **Stormwater Facilities**

Goal U/C-5: Maintain natural drainage and control stormwater quality and quantity impacts from developed lands.

## **Utilities**

Goal U/C-6: Ensure the provision of reliable, efficient, and well-planned utilities to adequately serve existing and planned development.

## **Other Governmental Services**

Goal U/C-7: Maintain high quality town services and facilities.

## **Agricultural, Natural, and Cultural Resources**

Goal ANC-1: Provide incentives and options to landowners to retain the town's contiguous areas of agricultural lands, natural areas, and open spaces.

Goal ANC-2: Maintain the operational efficiency and productivity of Nasewaupée's agricultural areas for current and future generations.

Goal ANC-3: Maintain, preserve, and enhance the town's natural environment and open spaces.

Goal ANC-4: Maintain, preserve, and enhance the town's rural atmosphere which contributes to the quality of life.

Goal ANC-5: Preserve the significant historical and cultural lands, sites, and structures that contribute to community identity and character.

## **Economic Development**

Goal ED-1: Maintain, enhance, and diversify the local economy consistent with other community goals and objectives.

## **Intergovernmental Cooperation**

Goal IC-1: Establish mutually beneficial intergovernmental relations with other units of government.

## **Land Use**

Goal LU-1: Provide for a well-balanced mix of land uses within the Town of Nasewaupee.

### **1.5 Issues and Opportunities Goals and Objectives**

***Goal I/O-1: Strengthen local control of land use decisions and maintain the ability and right to guide the Town's own destiny.***

#### **Supporting Objectives**

1. Utilize the town's comprehensive plan as a tool to guide and support town actions and decisions.
2. Utilize the town's village powers to develop and adopt "Nasewaupee specific" ordinances which promote the town's vision, goals and policies.
3. Support the Wisconsin Towns Association and be active in local, district, and state meetings.
4. Request that county government amend its decision-making procedures to be consistent with the town's comprehensive plan.
5. Evaluate scenarios for growth management in the Town of Nasewaupee to achieve desired future conditions and provide insight into potential conflicts and irreversible problems.

***Goal I/O-2: Balance appropriate land use regulation and individual property rights with community interests and goals.***

## **Supporting Objectives**

1. Develop land management and protection strategies based on public input received throughout the plan development process and ongoing public participation efforts after the plan is adopted.
2. Promote flexibility in terms of what people want to do with their land, but provide for incentives to encourage desired outcomes and entertain ways to mitigate identified impacts from a development proposal in a positive way which produces win-win outcomes.
3. Establish a development review process whereby all interested parties are afforded an opportunity to influence the outcome, and which objectively examines the quality of the proposed development and the potential long-term positive and negative impacts on the town.

### ***Goal I/O-3: Increase community awareness, support and involvement in growth management and land and water conservation efforts.***

## **Supporting Objectives**

1. Create opportunities for citizen participation throughout all stages of plan and ordinance development, amendment, and implementation.
2. Utilize technology (i.e., geographical information systems , laptop computing, image technology, multi-media, and interactive technology) in the land use planning and decision-making process to evaluate the impact of development; visualize alternative development patterns; and combine the desired planning outcomes with relevant ordinances and standards.
3. Improve public access to and understanding of available maps and other information related to town natural resources and the benefits and functions that they provide (e.g., fish and wildlife habitat) in order to raise awareness and protect such features.
4. Support and seek opportunities to improve information on town land and water resources.
5. Develop and provide educational materials and conduct local workshops on topics pertinent to town goals, objectives, policies and land use controls.
6. Encourage the retention of agriculture through education programs targeted at increasing the awareness of agricultural land owners of public and private programs which would provide them with economic incentives to retain land in agricultural production and help to make farming more economically viable.

7. Inform town residents and landowners regarding available programs which provide technical, financial, or tax relief assistance to preserve, enhance, or restore natural areas.
8. Support and coordinate community outreach programs and events that encourage private stewardship (e.g., proper maintenance of septic systems) of town land and water resources.
9. Recognize and showcase the efforts of individuals, groups, businesses, and others who demonstrate leadership and make a commitment to land and water conservation stewardship in the town.
10. Celebrate Nasewaupee's heritage in festivals and other community events.
11. Develop and maintain a regular town newsletter to announce town meetings and to keep citizens and landowners informed of local and regional planning efforts and issues.
12. Utilize a variety of media to publically announce upcoming meetings and events such as a town newsletter, local newspapers, posted town meetings, radio, television/cable advertisements, and web pages.

## **1.6 Issues and Opportunities Policies and Programs**

### **Policies**

Policies identify the way in which activities are conducted in order to fulfill the town's land use goals and objectives. Policies that direct action using the words "shall" or "will" are advised to be mandatory aspects of the implementation of the Town of Nasewaupee Comprehensive Plan. In contrast, those policies using the words "should" or "may" are advisory and intended to serve as a guide.

- ♦ Public participation shall be required prior to the development and/or amendment to any town plans, ordinances, or programs.
- ♦ Town policies, ordinances, and decisions shall be made in conformance with the comprehensive plan.
- ♦ The comprehensive plan will be referred to and utilized for all future development, planning, or implementation decisions within the community.
- ♦ Innovative planning or related land use initiatives or ideas will be given full consideration for implementation within the community.
- ♦ Future community issues, trends, opportunities, and conflicts that were not included within the comprehensive plan will be thoroughly assessed, and any required

modifications to town policies, actions, and programs will be consistent with the goals and objectives identified within the comprehensive plan.

- ♦ Adequate town funding and staffing shall be maintained to properly administer community programs (i.e. permits, land use controls, etc.).
- ♦ The comprehensive plan shall maintain consistency with state comprehensive planning requirements.

## **Programs**

All programs necessary or recommended to implement the Town of Nasewaupee Year 2025 Comprehensive Plan are identified within the remaining elements of this plan.

## 2 Housing

The *Housing* element contains an inventory and assessment of current housing characteristics and recommendations for the future. It is intended that the inventory will help identify deficiencies and opportunities relative to meeting the present and future housing needs of the town.

The inventory includes available information regarding the current housing stock, housing forecasts, housing affordability, and a listing of housing related programs available to the town. Indicators were analyzed at the local, county, state, and regional level to determine trends, opportunities, and needs within the community.

It is important to note that the data used in the housing analysis come from various sources, and discrepancies between certain data will be apparent. The purpose of these data is to illustrate the general housing situation in the town and to provide enough information to make some basic forecasts of housing trends and future needs. No discrepancies found in the following housing data are significant enough to seriously undermine the presented analysis.

### 2.1 Housing Characteristics

The physical location of housing determines the location and cost of many public services and facilities. In addition, housing characteristics are related to the social and economic conditions of the town's residents. This section describes the town's current housing stock, identifies significant changes which have occurred in the area of housing over time, and projects housing growth to the year 2025.

#### Housing Supply

Table 2-1 provides general information about the housing supply for the town of Nasewaupée from 1980 to 2000, including a breakdown of units by year-round and seasonal, and a comparison of persons per household. Year-round units include all occupied units and vacant year-round units (for sale, for rent, rented, or sold but not occupied). Seasonal units are those units which are used for seasonal, recreational, occasional, or other use.



*Existing housing in rural Nasewaupée.*

**Table 2-1**  
**Housing Supply**  
**Town of Nasewaupee**  
**1980-2000**

	1980	1990	2000	# Change 1980-00	% Change 1980-00
<b>Total Units</b>	<b>1,202</b>	<b>1,263</b>	<b>1,320</b>	<b>118</b>	<b>9.8%</b>
<b>Year-Round Units</b>	<b>720</b>	<b>724</b>	<b>823</b>	<b>103</b>	<b>14.3%</b>
Occupied Units	691	700	778	87	12.6%
Owner Occupied	589	604	699	110	18.7%
Renter Occupied	102	96	79	-23	-22.5%
Vacant Year-Round Units	29	24	45	16	55.2%
<b>Seasonal Units</b>	<b>482</b>	<b>539</b>	<b>497</b>	<b>15</b>	<b>3.1%</b>
Persons per Household	2.75	2.57	2.41	-0.34	-12.4%

Source: U.S. Bureau of Census 1980 STF 3A Tables 4, 96, 97, 102, & 103; 1990 and 2000 STF1A Tables H1, H2, H3, H5.

- ◆ Between 1980 and 2000 Nasewaupee's housing supply increased by 118 units (9.8%), including a significant increase in vacant year-round units and a moderate increase in year-round units, indicating a growth in the town of vacation property which is likely due to the increased demand for such property in the Door peninsula, both northern and southern.
- ◆ Between 1980 and 2000 Nasewaupee's household size decreased by 12.4% from 2.75 to 2.41. This trend of decreasing household size is also being experienced in Door County as a whole and throughout the State of Wisconsin. Nasewaupee's household size is decreasing less rapidly than that of Door County, but more rapidly than that of the state.

## Comparative Housing Supply

Table 2-2 displays the number of housing units for the Towns of Nasewaupee and Gardner, the City of Sturgeon Bay, Door County, and the State of Wisconsin from 1990 to 2000.

**Table 2-2**  
**Comparable Housing Unit Counts**  
**Town of Nasewaupee and Selected Areas**  
**1990-2000**

	1990	2000	# Change 1990-00	% Change 1990-00
Town of Nasewaupee	1,263	1,320	57	4.5%
Town of Gardner	1,007	966	-41	-4.1%
City of Sturgeon Bay	4,049	4,447	398	9.8%
Door County	18,037	19,587	1,550	8.6%
State of Wisconsin	2,055,774	2,321,144	265,370	12.9%

Source: U.S. Bureau of the Census, 1990-2000.

When compared to other areas, the town of Nasewaupee's housing unit increase from 1990 to 2000 was somewhat lower, except when compared to the town of Gardner. The town and the county as a whole experienced a significantly lower housing unit increase when compared to the state.

## Seasonal Housing Supply

The town of Nasewaupee offers seasonal and year-round residents both recreational and quality of life amenities. Main attractions include water oriented activities along the Green Bay shoreline, the Potawatomi State Park, and Ahnapee State Trail. Other attractions include the town's rural character which is characterized by the Niagara Escarpment (bluff) and large expanses of woodlands, wetlands, and agricultural lands. These amenities account for the large number of seasonal housing units in the town.



Table 2-1, displayed previously, identified the number of seasonal/recreational housing units from 1980 to 2000. During this period, the percentage of units classified as seasonal, recreational, and other units in the Town of Nasewaupee increased by 3.1% which was

significantly lower than the increase in year-round units for the period. However, it should be noted that seasonal housing units accounted for 37.7% of total housing units in the town in 2000.

The increase in year-round units and the moderate increase in seasonal units offers an indication of the amount of housing being converted to full time use. Seasonal units that were used only occasionally are now becoming full-time residences. This trend is found throughout the state and can also be attributed to the greater number of individuals retiring or moving to older age groups.

### Structural Type

Table 2-3 details the number of units within structures for the Town of Nasewaupee. The majority of structures (82.9%) are 1-unit detached structures in the town. Mobile homes are the second most common type of structure (14.8%).

**Table 2-3  
Units in Structure  
Town of Nasewaupee  
2000**

	Number	% of Total
1-unit, detached	1,090	82.9%
1-unit, attached	6	0.5%
2 units	13	1.0%
3 or 4 units	10	0.8%
5 to 9 units	0	0.0%
10 to 19 units	0	0.0%
20 or more units	2	0.2%
Mobile home	194	14.8%
Boat, RV, van, etc.	0	0.0%
Total Units	1,315	100.0%

Source: U.S. Bureau of the Census, 2000; based on sample data.

## Age of Housing Units

The age of a community's housing stock is an important element to be analyzed when planning for the future. If there is a significant amount of older housing units they will most likely need to be replaced, rehabilitated, or abandoned for new development some time within the planning period. Allowing for a newer housing supply also requires planning regarding infrastructure, land availability, community utilities, transportation routes, and a variety of other things which are affected by new housing development. Table 2-4 displays the year structures were built according to the 2000 Census.

**Table 2-4**  
**Year Structure Built**  
**Town of Nasewaupee**  
**2000**

Year Structure Built	Number	% of Total
1999 to March 2000	23	1.7%
1995 to 1998	114	8.7%
1990 to 1994	63	4.8%
1980 to 1989	149	11.3%
1970 to 1979	236	17.9%
1960 to 1969	182	13.8%
1940 to 1959	218	16.6%
1939 or earlier	330	25.1%
Total	1,315	100.0%

Source: U.S. Bureau of the Census, 2000, based on sample data.

The greatest proportion of housing units within the Town of Nasewaupee (25.1%) was built prior to 1939. It is expected that a majority of the older housing units are found among agricultural homesteads or along the bay shore.

## Housing Value

Providing affordable housing which meets the needs of future Nasewaupee residents is an important element of the overall planning for the town. Table 2-5 displays the value of specified owner-occupied homes within the town from 1990 to 2000. The Bureau of the Census bases these figures on a representative sample of the total housing units, so the totals will not match the other housing tables.

**Table 2-5**  
**Housing Values of Specified Owner-Occupied Units**  
**Town of Nasewaupee**  
**1990-2000**

Value	1990		2000		# Change 1990-2000	% Change 1990-2000
	Number	% of Total	Number	% of Total		
Less than \$50,000	66	21.2%	14	3.4%	-52	-78.8%
\$50,000 to \$99,999	209	67.0%	106	26.1%	-103	-49.3%
\$100,000 to \$149,999	27	8.7%	141	34.7%	114	422.2%
\$150,000 to \$199,999	5	1.6%	60	14.8%	55	1,100.0%
\$200,000 to \$299,999	5	1.6%	43	10.6%	38	760.0%
\$300,000 or More	0	0.0%	42	10.3%	42	NA
Total	312	100.0%	406	100.0%	94	30.1%
Median (Dollars)	\$67,300		\$125,400			

Source: U.S. Bureau of the Census, 1990-2000; based on sample data.

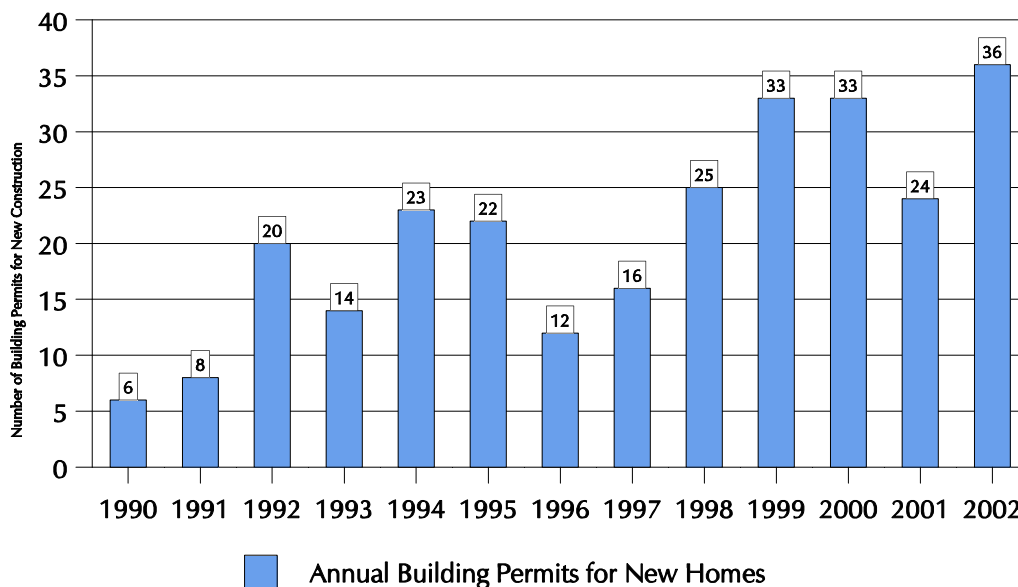
- ♦ Median housing values in the Town of Nasewaupee have increased dramatically between 1990 and 2000, from \$67,300 to \$125,400. The most dramatic increase, based on percentage change, was within the \$150,000 to \$199,999 value category.
- ♦ The median value of owner-occupied housing in the Town of Nasewaupee in 2000, \$125,400, was slightly higher than that of Door County overall (\$120,800), and the state median (\$112,200).
- ♦ Housing value increases within the town from 1990 to 2000 are partly attributable to inflation, however they are most likely a result of the overall increase in Door County as a premier seasonal and vacation destination.

- ♦ The increase in housing values will likely lead to a greater community sense that residential properties must be protected from incompatible land uses that might negatively impact those values.

### Building Permit Activity

An additional measure that assists in the illustration of the growth in residential housing for the Town of Nasewaupée is building permit activity. Figure 2-1 illustrates the growth in new housing units in the Town of Nasewaupée from 1990-2002 based upon building permit activity.

**Figure 2-1**  
**Building Permit Activity Trend for New Residential Housing Units**  
**Town of Nasewaupée**  
**1990-2002**



Source: Town of Nasewaupée Building Permit Records, 1991-2002; Wisconsin Town Land Use Databook, Door County.

- ♦ Building permit activity is a direct measure of local construction projects and is often the most accurate reflection of new housing starts.
- ♦ Building permit activity fluctuates widely from one year to the next due to changes in economic conditions, interest rates, the length of the building season, and a variety of other factors. Any use of building permit activity for projections must take these limitations into consideration.

## **2.2 Housing Projections**

Housing unit projections are an important element in preparing the land use plan and may be more accurate indicators of expected growth than population projections alone. Specifically, they are used to allocate required acreage to accommodate future residential development, as well as prepare for future demands growth may have on the town's public facilities and services throughout the planning period. Similar to population projections, it is important to note that housing projections are based on past and current trends, and therefore should only be used as baseline information.

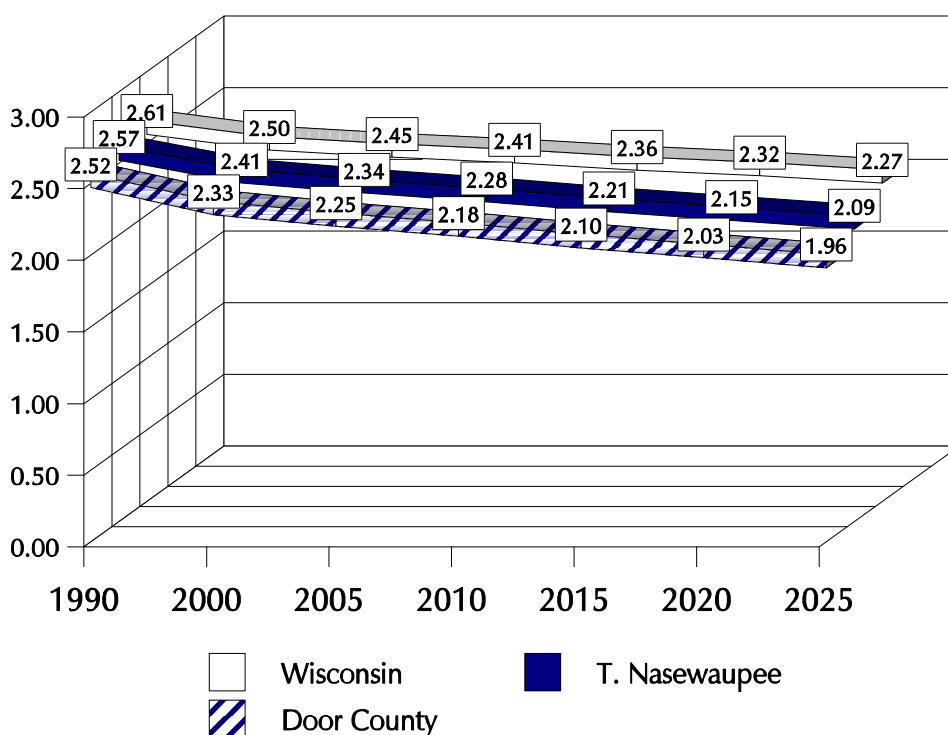
The projections presented in this plan were completed using data from 1990 through the present. Additional data from previous census years (1970 and 1980) may be available in some cases, but these data do not necessarily add to the reliability of the projections. Economic and social conditions often change dramatically from one census period to the next making the most recent decade the best indicator of future trends. Trends in Wisconsin, including the aging of the "baby boom" generation, strong economic growth through the 1990s, expansions to highway systems, and a sustained level of new construction and housing starts, all lead to the expectation that the census data from 1990 and 2000 will be the most useful for forecasting over the planning period.

Two housing unit projections are presented in this plan. Both are linear projections; one based on housing unit numbers reported by the census, and the other based on building permits issued in the town between 1990 and 2002.

## Household Projections

Household size is an important link between population and housing projections. Housing growth is expected to outpace population growth in the Town of Nasewaupee. This is due largely to the influence of seasonal housing on population counts, but is also due in part to a state-wide trend toward fewer persons per household.

**Figure 2-2**  
**Projected Persons Per Household**  
**Town of Nasewaupee**  
**1990-2025**



Source: U.S. Bureau of the Census 1990 and 2000. The years 2005 through 2025 are based on the percent change between 1990 and 2000 and linearly projected. Foth & Van Dyke, 2002.

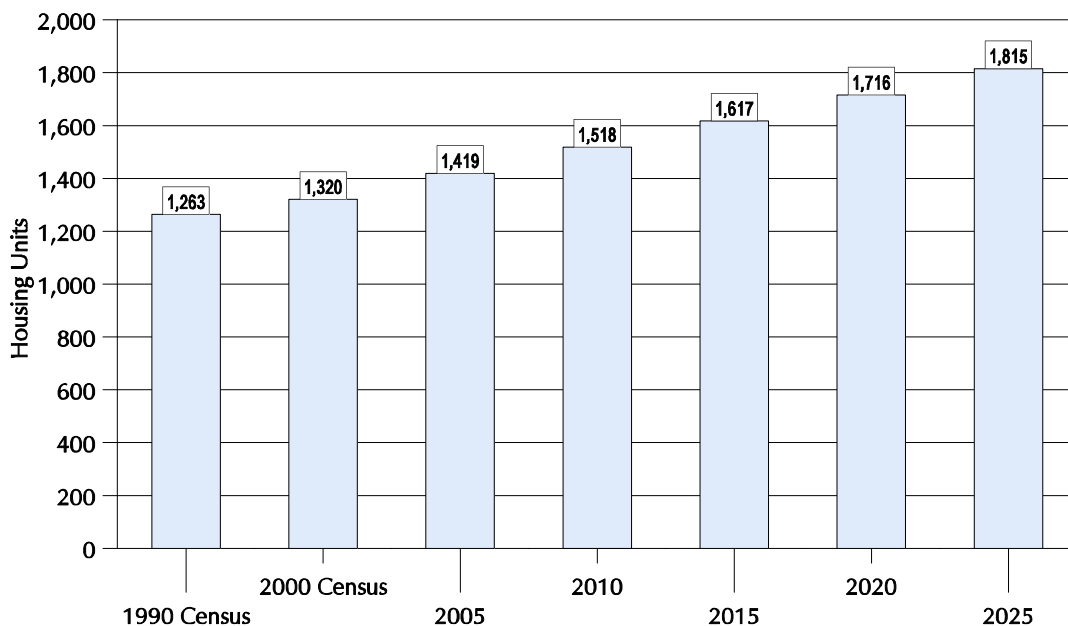
- ♦ The projected number of persons per household for the Town of Nasewaupee is expected to decline between 1990 and 2025 from 2.57 persons per household to an estimated 2.09 persons per household. The gradual decrease in the number of persons per occupied housing unit is a state- and nation-wide trend which is expected to continue.

## Housing Unit Projections Based on Recent Building Permit Activity Trends

An additional measure to assist in illustrating the growth in residential housing units in the Town of Nasewaupée is based on an analysis of recent building permit activity. Figure 2-1, shown previously, displays the amount of residential building permit activity that occurred in Nasewaupée between 1990 and 2002. The 12-year average of 22 new residential housing units based on the number of building permits issued annually in the town was used to calculate a straight-line projected number of housing units from 2000 through 2025.

This projection was then modified to account for the small portion of building projects that are issued permits, but never constructed. It was assumed that this accounts for 10% of building permits issued each year, resulting in a modified average of 19.8 new residential housing units each year. The results of these calculations are presented in Figure 2-3.

**Figure 2-3**  
**Housing Projections Based on Building Permit Activity**  
**Town of Nasewaupée**  
**2000-2025**



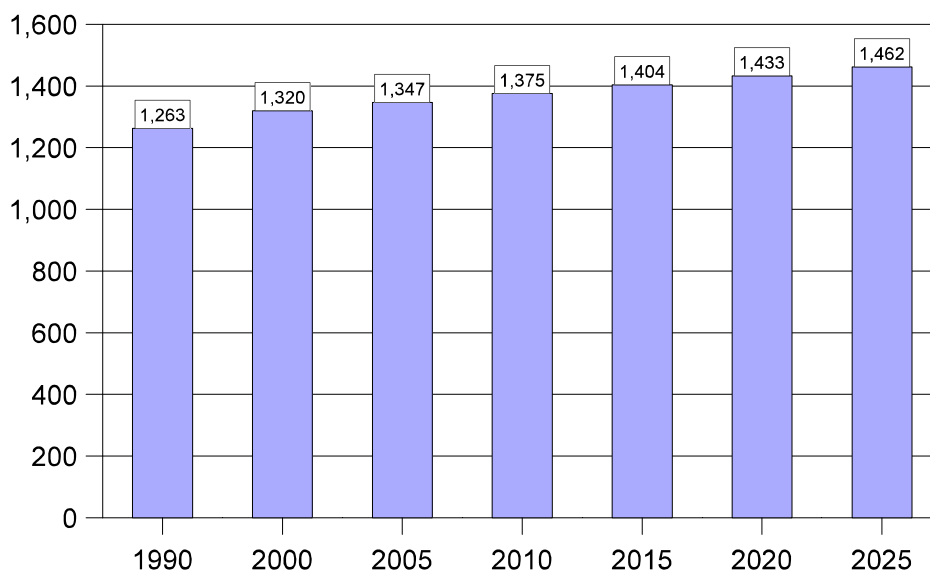
Source: 1990 and 2000 housing unit counts from the U.S. Census. Years 2005 to 2025 based on the average increase of 19.8 new housing units per year, as determined from building permit figures.

- ◆ Based on building permit activity trends from 1990 to 2002, it is projected that the town will experience an overall increase of 37.5% (495 units) in the total number of housing units between 2000 and 2025, reaching a total of 1,815 units.

## Linear Housing Unit Trends

The following projection utilizes the housing unit counts from 1990 and 2000 and creates a linear trend based on percent annual change of housing units for the period. The percent annual change is used to create a linear projection to the year 2025.

**Figure 2-4**  
**Housing Unit Projection Based on Linear Trend**  
**Town of Nasewaupée**  
**1990-2025**



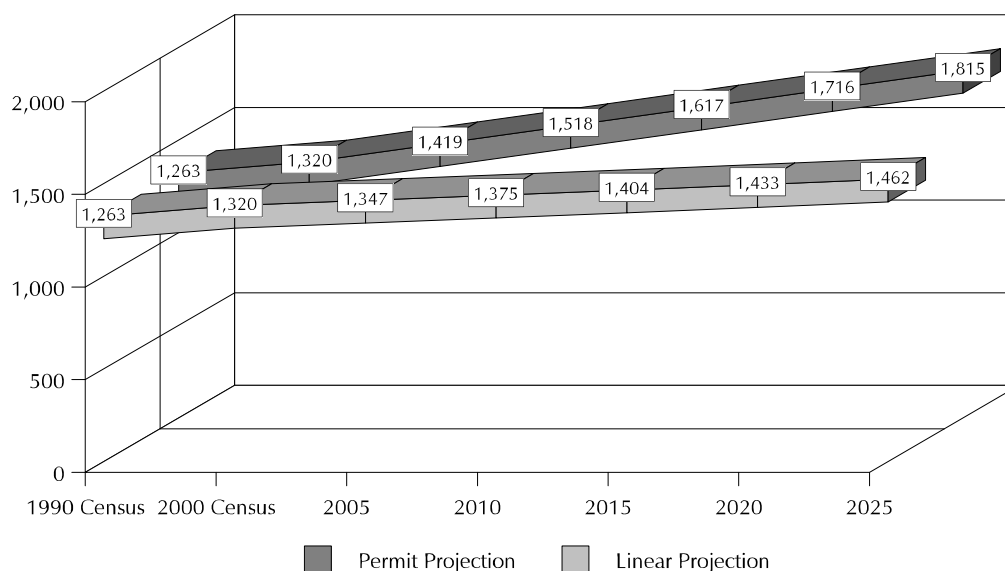
Source: 1990 and 2000 are from the U.S. Bureau of the Census. 2005 to 2025 obtained by taking a linear projection of annual housing increase from 1990 to 2000.

- ◆ Based on U.S. Census Bureau trends from 1990 to 2000, linear projections indicate that the town will experience an overall increase of 11% (142 units) in the total number of housing units between 2000 and 2025, reaching a total of 1,462 units.

## Comparative Housing Projections

Figure 2-5 displays the comparative housing unit projections that were developed by using a linear projection and by using building permit data.

**Figure 2-5**  
**Comparative Housing Unit Projections**  
**Town of Nasewaupée**  
**1990-2025**



Source: 1990 and 2000 housing unit counts from the U.S. Census. Permit projection: years 2005 to 2025 based on the average increase of 19.8 new housing units per year, as determined from building permit figures. Linear projection: 1990 and 2000 are from the U.S. Bureau of the Census, 2005 to 2025 obtained by taking a linear projection of annual housing increase from 1990 to 2000.

The housing projections that can be completed based on available data vary widely. The building permit data projects a total of 495 new housing units while the linear projection shows 142 new housing units. If the economic conditions experienced since 1990 continue into the planning period, housing growth will likely be closer to the higher projection of 495 new units. The completion of the STH (State Trunk Highway) 42/57 widening project is also likely to push housing growth toward the higher estimate, as this will make



*New construction along Highcliff Road.*

Nasewaupée an even more attractive area for development. The Wisconsin Department of Administration has not completed its housing projections based on the 2000 census at the adoption of this plan, but these figures can be used as another potential source of information when they become available.

### **2.3 Housing for all Income Levels, Age Groups, and Persons with Special Needs**

Providing affordable housing within the community is vital to accommodating those starting out in life, young families, and elderly residents. In response to this situation, the Town of Nasewaupée may pursue strategies to monitor and encourage the development of a range of housing choices to meet the needs of people with different income levels and with various needs. As the general population ages, affordability, security, accessibility, proximity to services, transportation, food, and medical facilities will all become increasingly important. These trends will have land use, transportation, community facility, and economic impacts.

The Wisconsin Housing and Economic Development Authority (WHEDA) maintains a database of federally assisted rental housing within each county and community in Wisconsin. According to the database, Door County has 256 elderly units, 215 family units, and 15 units for disabled individuals. Many of the units can be found throughout the county. There is also a significant number of units available within the City of Sturgeon Bay.

### **2.4 Availability of Land for Development/Redevelopment of Affordable Housing**

Promoting the availability of undeveloped or underused land is one way to meet the needs of low and moderate income individuals. In the Town of Nasewaupée, affordable housing opportunities are often provided through the sale of older housing units scattered throughout the town.

It is anticipated that housing within the town, as well as the county, will continue to be increasingly unaffordable for many individuals throughout the planning period. If trends continue or should become more severe, the town may find it necessary to explore opportunities to provide incentives for developers and home builders to create housing that is affordable for low and moderate income households. Another affordable housing option for Nasewaupée may be to support the use of manufactured homes constructed to state standards, that are consistent with surrounding uses, and that feature designs similar to site-built homes. Other affordable housing programs may be available for use within the town (see Section 2.8).

The Existing Land Use Map (Map 8-1) and Preferred Land Use Map (Map 8-4) should be consulted for assessing land available for development or redevelopment.

### **2.5 Housing Stock Maintenance and Rehabilitation**

The maintenance and rehabilitation of the existing housing stock can have many benefits for a town. It is an effective way to ensure safe and generally affordable housing. Maintenance of existing housing can preserve community character and helps curtail the need for expansive new

housing developments. Housing stock characteristics that can be monitored over time include: price, aesthetics, safety, cleanliness, and overall suitability with community character. The town may also consider strategies that prevent neglect and encourage reinvestment in the existing housing stock. There are a number of programs available for maintenance and rehabilitation of the housing stock, many of which are identified within Section 2.8 (Housing Programs).

## **2.6 Housing Goals and Objectives**

***Goal HE-1: Accommodate housing types and densities which are consistent with the existing character of town residential neighborhoods and rural lands.***

### **Supporting Objectives**

1. Retain farm and single-family residences as the preferred type of housing supply in the Town of Nasewaupée.
2. Encourage and support multi-family, group housing, and other high density residential development within the City of Sturgeon Bay and urban service areas.
3. Manage new condominium forms of ownership to ensure that they are consistent with conventional residential development in terms of controlling density, retaining open spaces, providing for adequate public services and facilities, and mitigating development impacts (e.g., stormwater management).

***Goal HE-2: Reduce the inappropriate conversion of town open spaces and resource lands into sprawling, low density, residential development.***

### **Supporting Objectives**

1. Encourage a shift in residential development from town rural lands to planned growth areas where adequate public services and facilities are available or planned.
2. Direct that higher density residential development be located near the City of Sturgeon Bay or in the northern portion of the town, near existing residential developments, in order to provide economies of scale for the town's infrastructure, retain rural character, and to provide more convenient access to community facilities and services.
3. Encourage well-designed residential in-fill development to increase the housing supply while protecting and enhancing existing neighborhood character and affordable housing opportunities.

***Goal HE-3: Provide opportunities for adequate housing supply for residents of all income groups, including housing which is affordable to low and moderate income groups.***

## Supporting Objectives

1. Ensure that local land use controls and permit processing do not discourage or prevent the provision of affordable housing opportunities within the town.
2. Support and encourage as an affordable housing option, manufactured homes which are constructed to state standards, are consistent with surrounding uses, and feature designs similar to site-built homes.
3. Support educational programs to promote community acceptance of low and moderate income housing.
4. Explore opportunities to provide incentives for developers and home builders that create housing that is affordable for low and moderate income households.
5. Promote local affordable housing opportunities through cooperative planning between the town and City of Sturgeon Bay. Include affordable housing in any future discussions regarding establishing urban growth or urban service areas on town lands.
6. Assist homeowners with housing in poor or fair condition in the repair or renovation of their homes by supporting local government and agency efforts to obtain grant program funds.
7. Support local and regional efforts to create quality housing with rents affordable to working families and developments for elderly and special-needs individuals.

## 2.7 Housing Policies and Recommendations

Policies identify the way in which activities are conducted in order to fulfill the town's land use goals and objectives. Policies that direct action using the words "shall" or "will" are advised to be mandatory aspects of the implementation of the Town of Nasewaupee Comprehensive Plan. In contrast, those policies using the words "should" or "may" are advisory and intended to serve as a guide.

### Policies

- ♦ Siting and construction of new housing should be consistent with the objectives and densities established for each land use management area and shall meet the intent of the applicable review criteria detailed in the *Land Use* element.
- ♦ Local land use controls (e.g., lot sizes) and related administration (e.g., fees) shall consider impacts on affordable housing. The availability of affordable housing will be monitored continually for adequate supply.

- ♦ A comprehensive building code shall be maintained that requires inspection of new structures and repair of unsafe and unsanitary housing conditions. The Wisconsin Historic Building Code shall apply to state designated historic buildings.
- ♦ Clustered residential development should be promoted to minimize land use impacts in the RCC (Rural Character Conservation), NF (Natural Features), PT (Planned Transition) and RP (Private Recreation) land use management areas.
- ♦ High density residential development (lot sizes of less than 40,000 square feet) will only be allowed in: existing approved plats, in the RS (Residential Suburban) and RP land use management areas, and in areas served by sanitary sewer.
- ♦ Proposed developments and town actions that may deter the creation of alternative forms of housing will be discouraged.
- ♦ The town shall consider adaptive reuse and conversion of surplus and/or outmoded buildings to economically viable new housing. (Consider old schools, agricultural structures, warehouses).
- ♦ Housing development which accommodates the elderly shall be located near public transportation and other urban amenities.

## **Recommendations**

1. The town should adopt and enforce the Uniform Dwelling Code or a similar regulatory device as part of its implementation system in order to ensure the structural and mechanical integrity of new homes.
2. The town should monitor the regional availability of housing for various income levels, age groups, and persons with special needs.
3. The town should monitor the local and regional availability of lands for the development of affordable housing.
4. The town should monitor the diversity and condition of its existing housing stock.

## **2.8 Housing Programs**

### **Lakeshore Community Action Program (CAP), Inc.**

Lakeshore CAP promotes economic self-sufficiency and well-being of low-income persons through advocacy, community education, and resource development in Door, Kewaunee, Manitowoc, and Sheboygan Counties. Lakeshore CAP offers a number of services and programs

including emergency services for basic human needs, family-based and youth services, rental and home ownership programs for low-income individuals, job development, and child care services. Lakeshore CAP manages several rental properties, homes, and special needs housing units within the county. For more information about programs that are offered visit [www.lakeshorecap.org](http://www.lakeshorecap.org).

### **Wisconsin Rural Development, Rural Housing Service**

The mission of the Rural Housing Service is to enhance the quality of life of rural people through the creation of safe, affordable housing where people can live, work, and prosper as part of a community. The Wisconsin Rural Housing Service offers housing preservation grants, loans, and grants for farm labor housing, loans and grants for home improvement and repair, loans for financing housing site development, loans for home purchase or construction, loans on apartment buildings, and self-help technical assistance grants. For further information visit the web-site at [www.rurdev.usda.gov/wi/index.html](http://www.rurdev.usda.gov/wi/index.html).

### **Wisconsin Department of Administration, Division of Housing and Intergovernmental Relations**

The Division of Housing & Intergovernmental Relations provides housing assistance to benefit low and moderate income households through the Bureau of Housing. It offers state-funded housing grants or loans through local organizations, coordinates its housing programs with those of other state and local housing agencies, helps develop state housing plans and policies, and provides training and technical assistance. The division channels federal housing funds to local authorities and organizations and administers federal funds for the homeless.

### **Community Development Block Grants**

Community Development Block Grants are offered on a competitive basis by the Wisconsin Division of Housing and Intergovernmental Relations (DHIR) to fund various housing revitalization activities. Funding can be used for rehabilitation, acquisition, neighborhood improvements, and home ownership opportunities. Funds are for households at or below 80% County Median Income. Contact the WDOA, Division of Housing and Intergovernmental Relations for more information.

### **Home Investment Partnership Program (HOME)**

A variety of affordable housing activities may be supported by federal HOME awards including down payment assistance for home buyers, rental rehabilitation, weatherization related repairs, accessibility improvements, and rental housing development. Approximately \$13 million is awarded annually. The program is administered by the Wisconsin Division of Housing and Intergovernmental Relations (DHIR).

## **Housing Cost Reduction Initiative (HCRI)**

Local sponsors compete for \$2.6 million in state grants annually to reduce the housing costs of low-income renters or home buyers. Eligible applicants include local units of government, American Indian tribes or bands in Wisconsin, housing authorities, and nonprofit housing organizations. Eligible activities are emergency rental aid, home buying down payment assistance, homeless prevention efforts, and related housing initiatives. It is administered by the Wisconsin Division of Housing and Intergovernmental Relations (DHIR).

## **Wisconsin Housing and Economic Development Authority (WHEDA)**

The Wisconsin Housing and Economic Development Authority serves Wisconsin residents and communities by working with other housing programs to provide creative financing resources and information to stimulate and preserve affordable housing, small business, and agribusiness. Visit the web-page at [www.wheda.com](http://www.wheda.com)

### 3 Transportation Element

The land use trends of a community and region are tied together by the transportation system including roadways, railroads, airlines, trails, and waterways. The residents, businesses, agricultural producers, and manufacturers all rely upon a dependable transportation system to function and provide linkages to areas beyond their borders. Local roads are also of particular importance to the town, as road maintenance and related issues generally have significant impacts on the town's operating budget. The town's transportation network plays a major role in the efficiency, safety, and desirability of the community as a place to live and work.

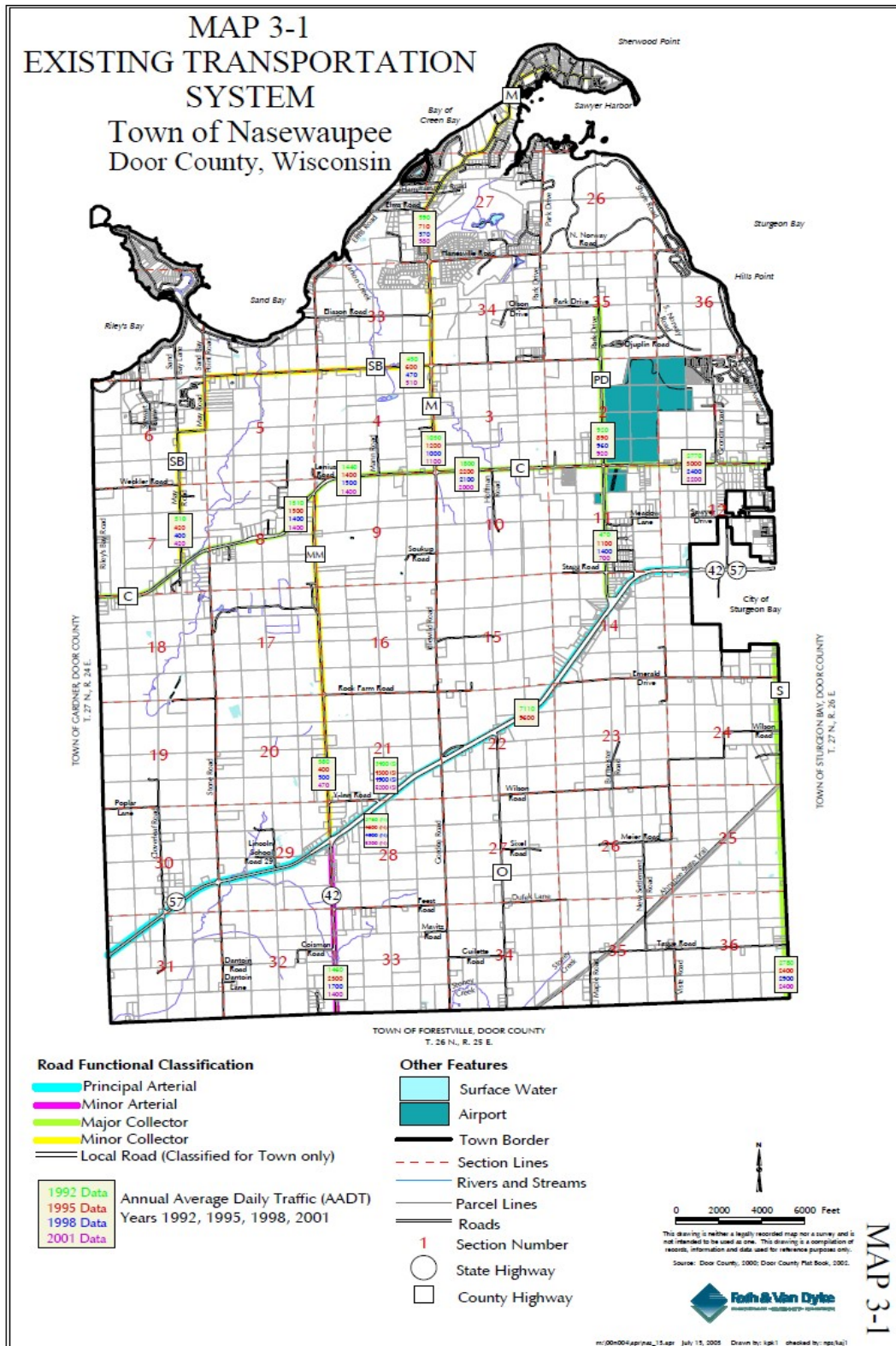
#### 3.1 Existing Road System

The existing road system for the Town of Nasewaupee is illustrated on Map 3-1. The town's local road configuration is characterized by a typical rural grid roadway pattern of primarily north-south and east-west roads. Exceptions to this grid-type layout include roads influenced by natural features such as wetlands, water bodies, and steep slopes and State Trunk Highways (STHs) 57 and 42/57.

The general traffic circulation patterns through Nasewaupee are as follows:

- ♦ STH 42/57 is the primary transportation route through Nasewaupee. This corridor is the southern "gateway" to the City of Sturgeon Bay. North of Sturgeon Bay, STH 57 is a major route for the eastern Door County peninsula. Leaving the southwest corner of the town, STH 57 provides the major connecting route to Green Bay or other destinations.
- ♦ **STH 42 joins** STH 57 from the south and provides connections to local roads and destinations south including Algoma and Kewaunee. North of Sturgeon Bay, STH 42 is the primary route along the western Door County peninsula.
- ♦ **County Trunk Highway (CTH) S** runs north and south along the town's eastern border and is another important "gateway" to the City of Sturgeon Bay. This County Trunk provides an alternative route to reach Algoma to the south.
- ♦ CTHs O, C, MM, M, SB, and PD along with intersecting local roads provide the primary east-west routes and additional north-south directional travel within the town.
- ♦ Local town roads serve as collectors to the state and county highway system serving Nasewaupee and provide both east-west and north-south directional travel.

## Map 3-1 Existing Transportation System



## **3.2 Road Functional/Jurisdictional Classification**

As depicted on Map 3-1, the road system is composed of three levels of government jurisdiction. These include the town system encompassing local roads, the county system of trunk highways, and the state highway system. State highways carry the greatest volume of traffic in the town, but county and local roads comprise the greatest mileage of roadways.

Roads can be divided into three broad functional categories: arterial roads, collector roads, and local roads. The function that the road serves in relation to the existing traffic pattern, the adjacent land use, the land access needs, and the average daily traffic volumes determine its functional classification. No criteria is the sole determiner of the functional classification. All are taken into consideration. For more detailed information on how roads are classified under this system, consult the Wisconsin Department of Transportation.

### **Principal Arterial Roads**

Principal arterial roads serve interstate and interregional trips. These routes generally serve all urban areas greater than 5,000 population. The rural principal arterials are further subdivided into 1) Interstate highways and 2) other principal arterials. STH 57 is a principal arterial.

### **Minor Arterial Roads**

In conjunction with the principal arterials, minor arterials serve cities, large communities, and other major traffic generators providing intra-regional and inter-area traffic movements. STH 42 is a minor arterial.

### **Major Collector Roads**

Major collector roads provide service to moderate sized communities and other intra-area traffic generators, and link those generators to nearby larger population centers or higher function routes. Major collectors within the town include CTHs C, PD, and S.

### **Minor Collector Roads**

Minor collector roads collect traffic from local roads, and provide links to all remaining smaller communities, locally important traffic generators, and higher function roads. All developed areas should be within a reasonable distance of a collector road. Minor collectors within the town include CTHs MM, SB, and M.

### **Local Roads**

Local roads provide access to adjacent land and provide for travel over relatively short distances. All roads not classified as arterials or collectors are local function roads.

### 3.3 Traffic Volume Trends and Forecasts

#### Traffic Volume Trends

An analysis of the past and present traffic volumes is beneficial in determining the traffic conditions in a community. Traffic volumes are usually presented as Annual Average Daily Traffic (AADT) counts, and are calculated for a particular intersection or section of roadway. The Wisconsin Department of Transportation, as part of its traffic counting program, provides highway traffic volumes from selected roads and streets for all communities in the state once every three years.

Average Annual Daily Traffic counts are calculated using raw hourly traffic counts adjusted by season, day-of-week, and the number of axles on a vehicle (passenger vehicles versus large trucks). The daily values are then averaged by hour of the day to create the AADT count.

Overall, traffic volumes within the Town of Nasewaupee have been increasing. Based on the change from 1992 to 2001, STH 42/57 experienced the most dramatic increase. This increase in traffic along the town's major highway corridor is expected to continue as the expansion of STH 57 to four lanes is completed south of Nasewaupee. Section 3.5 (Planned Transportation Improvements) provides additional detail on this expansion project. The town should monitor the traffic volumes on the roads represented in Table 3-1 throughout the planning period. AADT counts can offer indications of traffic circulation problems and trends and also provide justification for road construction or upgrades. AADT counts available for the Town of Nasewaupee are shown in Table 3-1.



*The existing STH 42 and 57 intersection.*

**Table 3-1**  
**Annual Average Daily Traffic Counts**  
**Town of Nasewaupée**  
**1992-2001**

Location (See Map 3-1)	1992	1995	1998	2001	# Change 1992- 2001	% Change 1992- 2001
CTH M, north of Hanesville Road	590	710	570	580	-10	-1.7%
CTH M, between CTH SB and CTH C	1,030	1,200	1,000	1,100	70	6.8%
CTH SB, west of CTH M	450	600	470	510	60	13.3%
CTH SB, between Weckler Road and CTH C	310	420	400	420	110	35.5%
CTH C, west of CTH MM	1,310	1,500	1,400	1,400	90	6.9%
CTH C, between CTH MM and Mann Road	1,440	1,400	1,500	1,400	-40	-2.8%
CTH C, between CTH M and Hoffman Road	1,800	2,200	2,100	2,000	200	11.1%
CTH C, east of Cherryland Airport	2,770	3,000	2,400	2,200	-570	-20.6%
CTH PD, north of CTH C	920	890	960	920	0	0.0%
CTH PD, between Meadow Lane and Stagg Road	470	1,100	1,400	700	230	48.9%
CTH MM, between Rock Farm Road and Y-Inn Road	380	400	500	470	90	23.7%
CTH S, south of Tagge Road	2,780	2,400	2,900	2,400	-380	-13.7%
STH 42, south of Feest Road	1,460	2,300	1,700	1,400	-60	-4.1%
STH 42/57 northbound, east of STH 42	3,760	4,600	4,900	5,300	1,540	41.0%
STH 42/57 southbound, east of STH 42	3,400	4,300	4,900	5,200	1,800	52.9%
STH 42/57, between CTH O and Emerald Drive	7,110	9,600	NA	NA	NA	NA

Source: Wisconsin Department of Transportation Average Annual Daily Traffic Counts 1992, 1995, 1998, 2001.

## Traffic Accidents

To further analyze the Town of Nasewaupee's road system, the frequency, location, and causes of motor vehicle crashes are studied to identify any problem areas. The frequency of motor vehicle crashes tends to correlate directly with traffic volumes. However, the design and condition of the road may also have an impact on the crash history. Table 3-2, Motor Vehicle Accident Summary, displays the number of crashes for roads which have experienced four or more motor vehicle crashes from 1999 through 2001 as reported by the Wisconsin Department of Transportation.

**Table 3-2**  
**Motor Vehicle Accident Summary**  
**Town of Nasewaupee**  
**1999-2001**

Roadway	1999	2000	2001	Total
HWY 42	19	23	32	74
CTH C	17	11	14	42
HWY 57	13	9	13	35
CTH S	5	9	3	17
CTM M	5	3	4	12
Idlewild Rd.	7	3	2	12
CTH MM	5	3	2	10
Stone Rd.	2	2	4	8
Sand Bay Rd.	4	3	0	7
Grondin Rd.	2	1	1	4
CTH PD	2	0	2	4

Source: Wisconsin Department of Transportation, Traffic Analysis Section, 2002.

## 3.4 Additional Modes of Transportation

### Air Service

The Door County Cherryland Airport is located in the Town of Nasewaupee. The airport has a lighted hard surface runway approximately 4,600 feet in length. Charter flights, aviation fuel, flight instruction, passenger terminal, rental cars, and aircraft rental are available at the airport.

According to the *Wisconsin State Airport System Plan 2020*, the Door County Cherryland Airport is currently classified as a transport/corporate airport. This classification includes airports that are intended to serve corporate jets, small passenger, and cargo jet aircraft used in regional service and small airplanes (piston or turboprop) used in commuter air service. These aircraft generally have a gross takeoff weight of less than 60,000 pounds, with approach speeds below 141 knots and wingspans of less than 118 feet. In Wisconsin, airports in this category normally have a primary runway length of 4,800 to 6,800 feet. According to the plan, the Door County Cherryland Airport will remain under this classification through 2020, however, runway extension is currently being considered. The nearest commercial airport is Austin Straubel Airport located approximately 45 miles away in Green Bay.



*Door County Cherryland Airport.*

Ongoing planning for the Cherryland Airport should include monitoring of potential conflicts. An increase in residential development near the airport, the construction of tall structures near the airport, and significant increases in air traffic may be sources of potential conflict. Proper land use planning around the airport will require an understanding of compatible and incompatible land uses. Door County's Height Limitation Zoning Ordinance applies to the lands surrounding the airport. Nasewaupée should work closely with the county, airport administrators, and/or planners to ensure that decisions made by the town and the airport are coordinated to reduce the possibility of future land use conflicts.

### **Freight and Passenger Rail Service**

There are no rail lines located within the Town of Nasewaupée or Door County. Although there are currently no rail lines in the county, the Midwest Regional Rail Initiative has developed a proposed Midwest Regional Rail System which includes a feeder bus service to passenger rail line from Green Bay to Sturgeon Bay. The Midwest Regional Rail Initiative is an ongoing effort to develop an improved and expanded passenger rail system in the Midwest, partially sponsored by the Wisconsin Department of Transportation. Planning for the initiative has moved from the concept stage to the feasibility stage. Actual service is to be implemented based on market demand and the state's financial capacity to implement the plan. The town should anticipate that the feeder rail line will likely become more of a reality near the end of the planning period. However, actual development of the line is not anticipated unless demand warrants.

## **Trucking**

The Wisconsin Department of Transportation has developed truck operator maps to assist commercial trucking in utilizing proper roadways. The maps identify and designate a list of qualifying highways for operation of vehicles and combinations of vehicles. Wisconsin Administrative Code Chapter Trans 276 clarifies other statutory provisions or federal rules affecting the weight, width, and length of vehicles and combinations of vehicles and the number of vehicles in combination. The 2001 Wisconsin Truck Operators Map designated STH 57, STH 42, and STH 42/57 as official designated highways within the Town of Nasewaupee. No county trunk or local roads are designated.

## **Water Transport**

The Bay of Green Bay as well as Sturgeon Bay offer extensive water recreational opportunities and commercial water transport. There is no commercial port in the Town of Nasewaupee, however there are commercial ports in both Sturgeon Bay and Green Bay. For certain types of businesses and industries, the availability of a significant commercial port within a short distance can be a very valuable asset.

## **Pedestrian Transportation Corridors**

Pedestrian travel is an integral part of the total transportation picture. Many people rely on walking for travel from their homes to work, school, shopping as well as for exercise. For the elderly, for children, and for those who are disabled, having safe and convenient pedestrian facilities is often essential to daily activities. Opportunities for walking in the Town of Nasewaupee include the shoulders of local roadways, Potawatomi State Park, and the Ahnapee State Trail. There is need for additional pedestrian facilities in the town and should be considered for incorporation into new developments.

## **Bicycle Corridors**

Bicycling plays an important role in moving people, many of whom rely on or choose the bicycle for their main or only mode of transportation. The benefits of bicycling can be generalized into the following categories: health, transportation, safety, environmental, transportation choice, efficiency, economic, and quality of life. Therefore, bicycling is an important element to the overall transportation system and should be accepted and promoted as an alternative form of transportation.

According to the *Wisconsin 2000/2001 Biking Guide*, there are no on-road bike tours located in the town. However, the Potawatomi Trail in the Potawatomi State Park is a designated mountain bike trail. The outer loop of the trail is approximately 5.9 miles, and the trail is generally easy except for one short, steep climb near the start. The Ahnapee State Trail is a designated bike touring trail. The trail traverses 28 miles through Door and Kewaunee Counties and runs through the southeast corner of the town.

The Bay-Lake Regional Plan Commission is in the process of completing a Regional Bicycle Plan. The town should monitor this effort and provide feedback on any aspects of the plan that apply to Nasewaupée.

### **Rustic Roads**

There are no designated rustic roads located in the Town of Nasewaupée. The Rustic Road System of Wisconsin was created to help citizens and local units of government preserve what remains of Wisconsin's scenic, lightly traveled country roads for the leisurely enjoyment of bikers, hikers, and motorists. Unique brown and yellow signs mark the routes of all officially designated Rustic Roads. The maximum speed limit on a Rustic Road has been established by law at 45 mph. A speed limit as low as 25 mph may be established by the local governing authority. Refer to the Section 3.9 (Transportation Programs) of this Element for more information on the program.

### **Transit**

The Town of Nasewaupée does not have community transit/bus service available. The need for this service should be monitored as population characteristics and land use patterns change over time.

### **Transportation for Persons with Disabilities**

Specialized public transportation service for the elderly, disabled, and other persons with similar needs for more accessible vehicles is referred to as paratransit. Public transit, including paratransit is not currently provided by the town. In rural areas like Nasewaupée, these needs are more commonly met by privately owned businesses, nursing homes, and senior activity centers. Typical services include specially designed buses, vans, and taxis that offer door-to-door transport on a flexible schedule.

As the population ages, the need for additional specialized transportation should be monitored. If the town or other publicly funded agency establishes transit services in the future, the Americans With Disabilities Act (ADA) requires that paratransit is offered as well.

## **3.5 Planned Transportation Improvements**

### **State Highway Projects**

The Wisconsin Department of Transportation (WDOT) is developing STH 57 as a four-lane divided highway with access management, allowing for safe and efficient travel from Green Bay to Sturgeon Bay. This project begins one mile north of the intersection of STH 54 and STH 57 in Brown County and extends to the intersection of STH 57 and STH 42 south of Sturgeon Bay in Door County. The STH 57 Expansion project represents an estimated \$72.5 million investment

in eastern Wisconsin's transportation system. Increasing traffic volumes, especially during the summer months, contributed to the need for STH 57 to be upgraded and improved.

The recommended transportation corridor for the STH 57 expansion was selected in 1996 after extensive study and public involvement. The corridor begins near the STH 57/Brown County P intersection, passes about one quarter mile east of Dyckesville, and returns to existing STH 57 between Macco Road and Borley Lane. The corridor then follows existing STH 57 north of Dyckesville to Door County Y. The corridor passes about one mile south of Namur and Brussels, rejoining the existing roadway near County H. The corridor then follows the existing roadway up to Tornado Park (Williamsonville). It is directed around the park to avoid impacting the historic archaeological site of Williamsonville. The corridor rejoins the existing STH 57 near Southern Door School and follows it to STH 42.

STH 57 is proposed to be a limited access highway, so the establishment of new side road and driveway access points will not be permitted. See *Appendix A* and the description of Wisconsin Administrative Code Chapter Trans 231, Permits for Driveways and Alterations in State Trunk Highways for information on WDOT jurisdiction over driveway access points. Access to any new development must be served by existing or new connecting roads and frontage roads. See Map 8-4 (Year 2025 Preferred Land Use) for the location of the proposed improvements. Existing side road connections and driveways will continue to have direct access either to the proposed STH 57 or to the existing highway route which will be converted to a frontage road. Impacts to existing access points between the Southern Door High School and the intersection with STH 42 include:

- ♦ Cloverleaf Road - Access from the north will be to the frontage road. Access from the south will be direct.
- ♦ Stone Road - Direct access will be preserved from all directions. Right-of-way has been purchased at this intersection to facilitate the construction of a controlled access interchange. Should traffic volumes on STH 42 necessitate an intersection upgrade, Stone Road will be used for the interchange due to a lack of available property at the existing intersection.
- ♦ Existing driveways - Access will generally be preserved either to the frontage road or directly to the highway. WDOT has identified some existing driveways as potential hazards to traffic safety.

The speed limit for the expanded STH 57 has not been decided yet, but roadways similar to this type of facility are regulated at 65 mph. The entire route from Green Bay to Sturgeon Bay will be reviewed prior to making the final decision.

## County Highway Projects

Door County Highway Department road improvements plans are completed annually subject to the budget approval process. Tentative plans for county highway projects through the year 2006 in Nasewaupée include:

- ♦ 1.4 miles of CTH C from CTH PD to Duluth Ave., surface maintenance (2006)
- ♦ 0.7 miles of CTH C from W. Elm St. to S. of Oak, surface improvements (2006)

## Town Highway Projects

The Town of Nasewaupée has historically made determinations of road projects annually based on spring inspections of the local road system. The town will begin to employ a planned approach starting in 2003. The Paved Surface Evaluation and Rating System (PASER) will be used to prioritize and plan for road improvement projects. The town received a grant through the Town Road Improvement Planning program to fund the implementation of PASER.



*A local road in Nasewaupée - Edgewood Court.*

### 3.6 Coordination with Other Transportation Plans

The following statewide plans and programs can be consulted for further implementation and guidance for the community's goals, objectives, and policies. During the development of the *Transportation* Element all of the following documents were reviewed and applicable information was addressed and included:

- ♦ Wisconsin State Highway Plan 2020
- ♦ Wisconsin Bicycle Transportation Plan 2020
- ♦ WisDOT Access Management System Plan
- ♦ Wisconsin State Airport System Plan 2020
- ♦ Translink 21: A Multi-modal Transportation Plan for Wisconsin's 21<sup>st</sup> Century
- ♦ 6-Year Highway Improvement Program
- ♦ Statewide Transportation Improvement Program (STIP)

- ♦ Wisconsin Pedestrian Policy Plan 2020
- ♦ Wisconsin State Rail Plan 2020

### 3.7 Transportation Goals and Objectives

The following goals and objectives were developed by the Town of Nasewaupee with regard to its transportation system.

***Goal TE-1: Provide for a safe, efficient, convenient, and well-maintained, multi-modal transportation network for the movement of people and goods.***

#### Supporting Objectives

1. Coordinate development and maintenance of a town road data base with the Wisconsin Department of Transportation as part of the Wisconsin Information System for Local Roads (WISLR).
2. Establish a level of service (LOS) standard (e.g., road capacity, traffic flow, roadway design, mobility, etc...) for town roads to serve as a “gauge” to judge the performance of the overall transportation system.
  - a. Consider the *Land Use* Element when establishing LOS.
  - b. Avoid new development which causes LOS on town transportation facilities to fall below the adopted LOS standards unless transportation improvements or strategies are undertaken to mitigate these impacts concurrent with development.
3. Prepare and annually update a multi-year transportation improvement plan to identify and prioritize short-term and long-term needs and funding sources for road upgrades, new roads and other transportation facilities. Allow for public review and comment on the town’s short and long-term transportation system improvement plans.
4. Avoid or restrict new town road development within agricultural resource lands.
5. Limit investment and expenditure in rural areas to arterial development connecting communities or neighborhoods.
6. Manage access to the transportation system in order to effectively maintain the functional integrity of town roads.
7. Coordinate local land use and transportation planning with the Wisconsin Department of Transportation to ensure that the future expansion of STH 42/57 meets the goal to

enhance regional mobility to improve its functionality for business, area residents, tourists, non-motorized transportation, freight, and services.

8. Manage land uses and development adjacent to the Door County Cherryland Airport in order to minimize conflicts between airport operations and neighboring properties.
9. Consider developing an official map to govern the locations of future roads within the town. Coordinate road planning with the City of Sturgeon Bay, neighboring towns, the Wisconsin DOT, and Door County to address regional traffic circulation.

***Goal TE-2: Increase safety and use of non-motorized transportation modes.***

**Supporting Objectives**

1. Identify major issues and deficiencies related to pedestrian and bicycle activities (e.g., overall use/demand, lack of sidewalks, bikeways, safety issues, etc.).
2. Develop strategies/plans to identify projects and funding sources for pedestrian, bicycle, and multi-modal systems development and maintenance.
3. Promote the development of pedestrian, bicycle, and other multi-modal transportation linkages as part of new development proposals.
4. Consider bicycle and pedestrian safety needs when new roads are proposed or when major roadway improvements are made.

### **3.8 Transportation Policies and Recommendations**

#### **Policies**

Policies identify the way in which activities are conducted in order to achieve fulfillment of the town's land use goals and objectives. Policies that direct action using the words "shall" or "will" are advised to be mandatory aspects of the implementation of the Town of Nasewaupée Comprehensive Plan. In contrast, those policies using the words "should" or "may" are advisory and intended to serve as a guide.

- ♦ Development proposals shall address the impacts to transportation systems including:
  - Traffic flow
  - Road conditions and maintenance
  - Emergency vehicle access
  - Safe ingress and egress
  - Transportation of students (e.g., bus turn-arounds)

- ♦ The existing road network and public facilities/services will be utilized to accommodate new development to the maximum extent possible.
- ♦ Dead-end roads and cul-de-sacs shall be avoided to the extent practicable.
- ♦ Developers shall be required to bear an equitable share of the costs for improvements and extensions to the transportation network.
- ♦ Transportation development shall be in conformance with an official map to reserve adequate right-of-way for future road linkages.
- ♦ Area Development Plans shall be required with the submittal of residential development plans (i.e., subdivisions). This will allow the community to assess the future connection and traffic flow impacts on surrounding properties.
- ♦ Street design standards (intersection design, signal phasing, roadway width) shall give priority to and enhance the safety of pedestrians and cyclists and minimize conflict with motorists. Priority for installation or construction should be given to those routes that are used by school children, senior citizens, physically challenged persons, and/or commuters.
- ♦ Transportation facilities shall be designed to accommodate bicyclists and pedestrians according to the Door County Bicycle and Pedestrian Plan.
- ♦ The PASER (Pavement Surface Evaluation and Rating) system for road maintenance and project budgeting will be the primary tool used to forecast local road improvement projects.
- ♦ When reconstructing, resurfacing, or reconditioning existing town roads, consult the respective standards that must be met: a) towns subject to standards in TRANS 204, b) new town roads in Sec. 86.26 of Wis. Stats. c) counties subject to standards in TRANS 205.
- ♦ Proper ditch location, grading practices, and shape will be pursued to manage runoff.
- ♦ New or modified access to local, county, or state roads shall require a permit. The number, location, and design of driveways serving properties which abut local roads will be reviewed to ensure safe ingress and egress.

## **Recommendations**

1. Integrate the town's local road information data base into a computer-based road information system. Maintain this database and use it to identify road improvement priorities and funding sources in advance.
2. Indicate to the Wisconsin Department of Transportation (WDOT) that the preferred location of any future STH 57 interchange is at STH 42 rather than Stone Road.
3. Designate the following local roads as bicycle routes:
  - ♦ CTH SB and Sand Bay Rd. (bet. May Rd. & Potawatomi State Park)
  - ♦ CTH PD (bet. STH 57 & Potawatomi State Park)
  - ♦ Bicycle/pedestrian route into southeast corner of Potawatomi State Park which connects N. Duluth Avenue with the existing park road system.
4. Monitor the capacity and usage of the Door County Cherryland Airport. Should a need for expansion be identified, develop a town position based on public input and sound data.

### **3.9 Transportation Programs**

The following programs are available to the Town of Nasewaupee to further the town's transportation goals, objectives, and policies. For specific information on the program, the group or agency offering the programs should be contacted. The following list is not all-inclusive.

#### **Rustic Roads Program**

The Rustic Roads System in Wisconsin is an effort to help citizens and local units of government preserve what remains of Wisconsin's scenic, lightly traveled country roads for the leisurely enjoyment of bikers, hikers, and motorists. An officially designated Rustic Road shall continue to be under local control. The county, city, village, or town shall have the same authority over the Rustic Road as it possesses over other highways under its jurisdiction. A Rustic Road is eligible for state aids just as any other public highway. For further information visit the WisDOT's web-site or contact the Rustic Roads coordinator.

#### **Adopt-A-Highway Program**

The Adopt-A-Highway Program is administered by the Wisconsin Department of Transportation (WisDOT). The program was initiated to allow groups to volunteer and support the state's anti-litter program in a more direct way. Each qualified group takes responsibility for litter control on a segment of state highway. The group picks up litter on a segment at least three times per year between April 1 and November 1. Groups do not work in dangerous areas like medians, bridges, or steep slopes. In addition, a sign announcing a group's litter control sponsorship can be

installed. The state Adopt-A-Highway coordinator should be contacted for further information. Applications and forms are available through the WisDOT website.

### **Transportation Economic Assistance (TEA) Program**

The Transportation Economic Assistance program provides 50% state grants to governing bodies, private businesses, and consortiums for road, rail, harbor, and airport projects that help attract employers to Wisconsin, or encourage business and industry to remain and expand in the state. Grants of up to \$1 million are available for transportation improvements that are essential for an economic development project. It must be scheduled to begin within three years, have the local government's endorsement, and benefit the public. For more information about this program, contact the Wisconsin Department of Transportation, Division of Transportation Investment Management. Contact the Wisconsin DOT District office for additional information.

### **Transportation Enhancement Program (part of the Statewide Multi-modal Improvement Program (SMIP))**

Transportation enhancements (TE) are transportation-related activities that are designed to strengthen the cultural, aesthetic, and environmental aspects of transportation systems. The transportation enhancements program provides for the implementation of a variety of non-traditional projects, with examples ranging from the restoration of historic transportation facilities, to bike and pedestrian facilities, to landscaping and scenic beautification, and to the mitigation of water pollution from highway runoff. Most of the requests and projects awarded in Wisconsin have been for bicycle facilities. Examples of bicycle projects include multi-use trails (in greenways, former rail trails, etc.), paved shoulders, bike lanes, bicycle route signage, bicycle parking, overpasses/underpasses/bridges, and sidewalks.

Transportation enhancement activities must relate to surface transportation. Federal regulations restrict the use of funds on trails that allow motorized users, except snowmobiles. TEA 21 expanded the definition of transportation enhancements eligibility to specifically include the provision of safety and educational activities for pedestrians and bicyclists, which had not been clearly eligible under ISTEA. Contact the WisDOT District Office for further information.

### **Incidental Improvements**

Bicycle and pedestrian projects are broadly eligible for funding from most of the major federal-aid programs. One of the most cost-effective ways of accommodating bicycle and pedestrian accommodations is to incorporate them as part of larger reconstruction, new construction and some repaving projects. Generally, the same source of funding can be used for the bicycle and pedestrian accommodation as is used for the larger highway improvement, if the bike/ped accommodation is "incidental" in scope and cost to the overall project. Overall, most bicycle and pedestrian accommodations within the state are made as incidental improvements. Contact the Wisconsin Department of Transportation for more information.

## **Pavement Surface Evaluation and Rating (PASER)**

PASER is a simple method of rating asphalt and concrete roads on a scale of 1 to 10 and gravel roads on a scale of 1 to 5, based on visual inspection. PASER manuals and a video explain how and why roads deteriorate, and describe proper repair and replacement techniques. PASER rating can be put into PASERWARE, an easy to use pavement management software. PASERWARE helps to inventory roads and keep track of their PASER ratings and maintenance histories. It also helps to prioritize road maintenance and improvement needs, calculate project costs, evaluate the consequences of alternative budgets and project selection strategies, and communicate those consequences to the public and local officials. Both PASER and PASERWARE are available from the University of Wisconsin's Transportation Information Center at no charge. The Center also offers free training courses.

## **4 Utilities and Community Facilities**

This element contains an inventory of the public utilities and community facilities currently provided within the Town of Nasewaupée. It is intended that this inventory will help identify deficiencies and opportunities relative to meeting the present and future needs of the community.

This inventory includes information regarding: administrative facilities and services, schools, protective services, public buildings, quasi public facilities, parks and open space, solid waste management and recycling, communication and power facilities, sanitary sewer service, public water supply, stormwater management, and various other facilities and services. Map 4-1 identifies the location of existing community facilities and utility service areas within the Town of Nasewaupée.

### **4.1 Administrative Facilities and Services**

The town anticipates that administrative facilities and services will require expansion in order to have adequate capacity to serve the town. Specific needs and capacity issues have been identified.

#### **Local Government**

The Town of Nasewaupée currently has no paid employees. The Door County Highway Department is contracted for any road related work. There are no designated office facilities utilized by the town. The clerk and the treasurer keep necessary files and work from their homes. The local government is administered by a 3 member Town Board and its supporting committees including:

- ♦ Plan Commission, 7 members. (An advisory and administrative body for issues of land use and comprehensive planning.)
- ♦ Board of Adjustment, 3 members and 1 alternate. (A quasi-judicial body that hears appeals to administrative land use decisions.)
- ♦ Board of Review, 5 members. (A review body that examines town tax rolls and hears objections to tax assessments.)

#### **Public Buildings**

The town hall is the only public building used by the town. The land is owned by the town, however the Southern Door Fire Department owns and utilizes the building. Meeting space and limited filing space are housed in this structure for the town. The town and the Southern Door Fire Department do not charge each other for this sharing of resources, and the arrangement is maintained as an informal agreement.

The town anticipates the need for improved public building and administrative facility space. Implementation of the comprehensive plan will likely require office space for town employees, space for record storage, and improved facilities for meetings and hearings. Potential town officials and employees in need of space include:

- ♦ Land Use Administrator
- ♦ Building Inspector
- ♦ Town Clerk
- ♦ Town Treasurer
- ♦ Town Constable



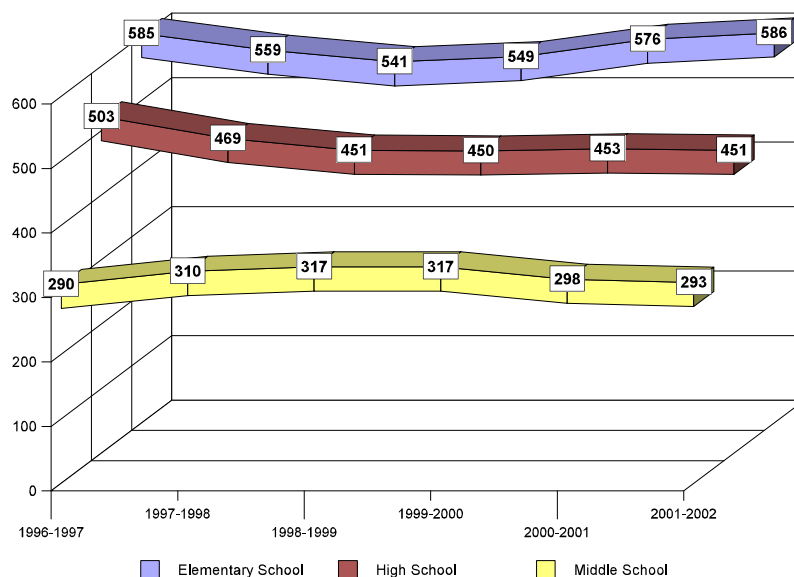
*The Nasewaupee Town Hall and Southern Door Fire Department.*

## **4.2 Schools**

The town anticipates that existing educational facilities and services will be adequate throughout the planning period and have available capacity to serve the town.

The Town of Nasewaupee is located within the Southern Door County School District. The District was established in 1960. The Southern Door County School District includes Southern Door High School, Southern Door Middle School, and Southern Door Elementary. The Southern Door County School buildings are located on a 129 acre site just west of Nasewaupee's border on Hwy 57, six miles north of Brussels and seven miles south of Sturgeon Bay. Figure 4-1 displays enrollment figures for each school from 1996-1997 to 2001-2002.

**Figure 4-1**  
**Enrollment**  
**Southern Door County School District**  
**1996-2002**



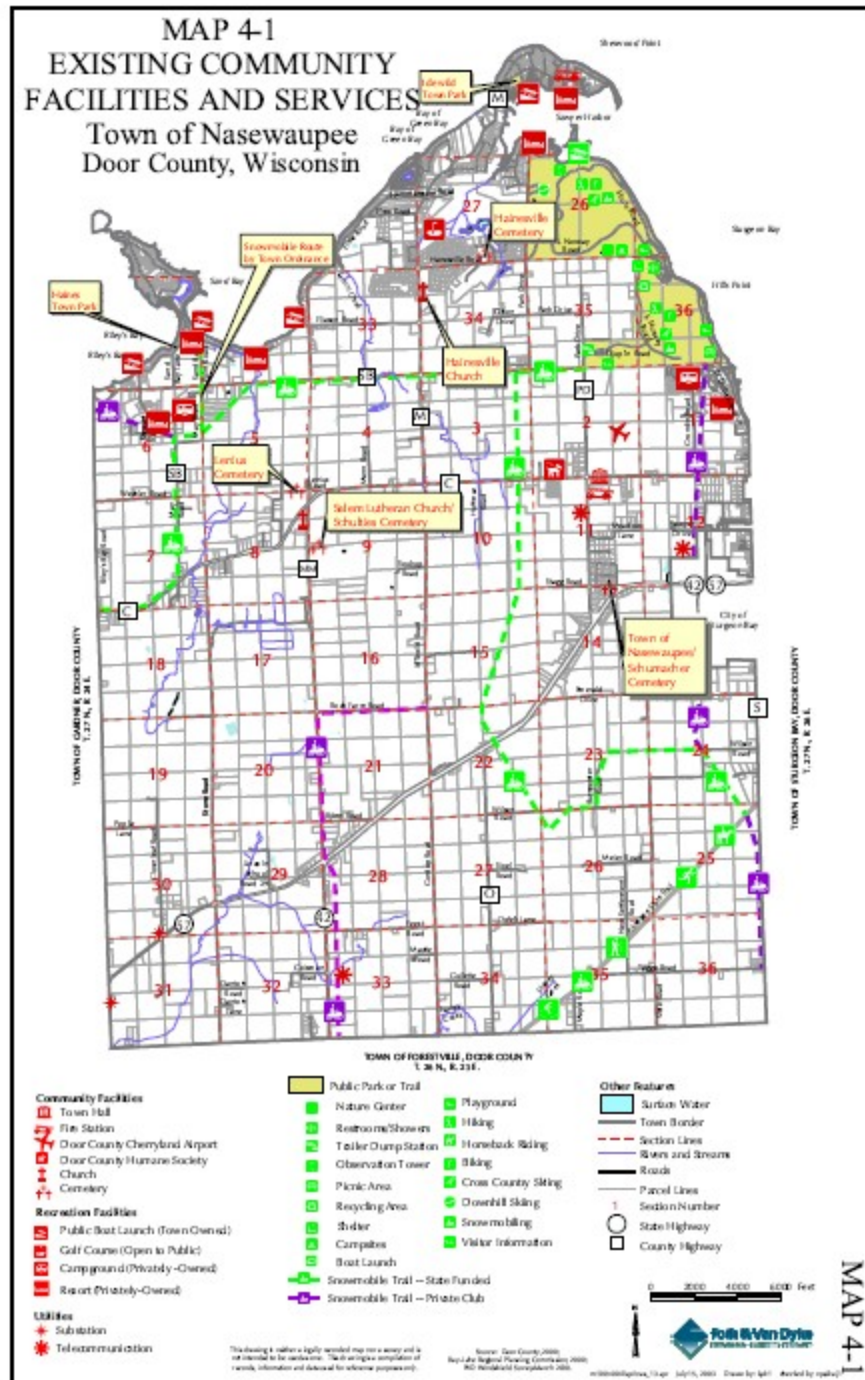
Source: Wisconsin Department of Public Instruction, 2002.

District staff includes the district administrator, a high school principal and assistant principal, an elementary school principal, a middle school principal, a special education/pupil services director, a gifted and talented coordinator, a resource teacher, a reading specialist, a psychologist, 4 guidance counselors, a local vocational education coordinator, a computer coordinator, 105 teachers, and 73 support staff members.

The high school was completed in 1963 and the elementary/middle school was completed in 1974. In 1980, several new classrooms were added to the high school, including art, band, and chorus rooms. Additions were made to the high school in 1991 and included a 592 seat auditorium, 8 classrooms, a remodeled and expanded technology education area, a greenhouse, and boys and girls varsity locker rooms.

The Southern Door County School District began a major building and renovation project in 2002. The construction provided new classrooms, a new gymnasium, a new library/media center at the high school, new computer labs, and a new office area in the elementary school. Renovation and remodeling updated science rooms at the high school and middle school, provided expanded space for special education, gifted and talented, and other existing programs and allowed for the existing elementary office area to be used for K-3 music and other programs.

## Map 4-1 Existing Community Facilities and Services



### **4.3 Protective Services**

The town anticipates that existing protective services and facilities will generally be adequate throughout the planning period and have available capacity to serve the town. The only identified exception is relative to police services.

#### **Police**

The Door County Sheriff's Department provides police protection services to the Town of Nasewaupée. The Department is located at 123 S. 5<sup>th</sup> Avenue in Sturgeon Bay.

The town also elects a constable for the enforcement of local ordinances. The town anticipates an expanded role for the town constable, as the comprehensive planning process moves into the implementation stage. Recommendations for improvements to many of the towns existing ordinances along with the creation of several new ordinances are included in the town's implementation strategy.

#### **Fire**

The Southern Door Fire Department provides fire protection service to the Towns of Nasewaupée, Clay Banks, Forestville, and the Village of Forestville. The Southern Door Fire Department is a special purpose district, so it has the power to levy a tax in order to fund its operating costs. The town anticipates that its fire protection needs will continue to be met most efficiently by such regional facilities as the Southern Door Fire Department.

The Southern Door Fire Department operates on a cooperative basis with other fire departments through mutual aid agreements and the Door-Kewaunee Fire Association. The Door-Kewaunee Fire Association meets quarterly to discuss common issues and to facilitate cooperation between departments. Automatic mutual aid agreements are maintained with the Algoma Fire Department and the Brussels/Union/Gardner Fire Department. The aid is "automatic," meaning that these fire departments will automatically respond to any structure fire within the Southern Door fire district. A mutual aid agreement is also maintained with the City of Sturgeon Bay Fire Department, but this is not an automatic agreement. The Sturgeon Bay Fire Department will provide assistance to Southern Door when requested.

The town currently shares land and building space with the Southern Door Fire Department. It is anticipated that these arrangements will be evaluated as the town explores its short term and long term needs for improved administrative and office facilities. A cooperative relationship with the fire department will be maintained, but the feasibility of continuing to use the existing space has diminished with the town's needs for improved land use management and code enforcement. Continued sharing of this space may be possible as long as potential expansion plans are coordinated with the fire department.

## **Emergency Medical Services**

The Door County EMS provides emergency medical services to the town. The nearest facilities of Door County EMS are located in the Town of Brussels and the City of Sturgeon Bay. The town anticipates that its emergency service needs will continue to be met most efficiently by such regional facilities as the Door County EMS.

## **4.4 Quasi-Public Facilities**

The town anticipates that existing quasi-public facilities and services listed below will be adequate throughout the planning period and have available capacity to serve the town.

### **Churches/Cemeteries**

There are four cemeteries and two churches located in the town. Churches include the Salem Lutheran Church located at CTH C and MM, and the Hainesville Church located near CTH M and Hainesville Road. The Schumacher Cemetery is town-owned and located near Stagg Road and Park Drive. The Schulties cemetery is near the Salem Lutheran Church. The Lenius Cemetery is located near the wedding chapel just north of Salem Lutheran Church. The Hainesville Cemetery is located on Hainesville Road between CTH M and Park Drive.

### **Campgrounds**

Potawatomi State Park includes 2 camping areas with a total of 123 camp sites. Electrical hook-ups are available. Refer to Section 4.5 (Parks and Open Space) for additional information on the park.

The Quiet Woods North Camping Resort is located at 3668 Grondin Road. This privately owned facility has 275 campsites including both RV and tent sites. Available amenities include electrical hook-ups, group sites, and a dump station.

A Yogi Bear Jellystone Park is located at 3677 May Road. This privately owned facility has 270 campsites including both RV and tent sites. Available amenities include electrical hook-ups, group sites, handicap accessible sites, and a dump station.

### **Boat Landings/Public Access**

There are four town owned boat launches available in the town, one located in Sawyer Harbor, two located at Sand Bay, and one located at Riley's Bay. There is a state owned boat launch within



*A Town of Nasewaupée boat launch.*

Potawatomi State Park. These boat launch sites should be functionally maintained throughout the planning period.

## **Post Office**

The nearest post office is located in the City of Sturgeon Bay. Town residents also commonly use the Maplewood and Brussels post offices. The rural delivery service and the proximity of these post office facilities are adequate to meet the town's future needs.

## **Libraries**

The Door County Library is located in Sturgeon Bay at 107 South 4<sup>th</sup> Avenue. The proximity of the Door County Library appears adequate to meet the town's future needs.

## **4.5 Parks and Open Space**

The Town of Nasewaupee contains several park, recreation, and open space resources (see Map 4-1). The following provides a brief description of these resources by ownership. The town anticipates that some expansion and improvement of park and open space facilities will be needed throughout the planning period in order to have adequate capacity to serve the town. Specific areas of need relative to local park and open space facilities have been identified.

### **State-Owned**

The major park and recreation site located in the town is Potawatomi State Park which is owned and managed by the WDNR. The park comprises more than 1000 acres in the northeast portion of the town, and has two miles of Green Bay shoreline. A wide range of recreational facilities are available including campsites, six miles of hiking trails, shoreline and boat fishing, 13 miles of groomed skiing trails, snowmobile trails, and an observation tower for viewing the natural amenities of the area. Visitor attendance at Potawatomi State Park has exceeded 200,000 for each of the years 1992 - 2002 with a high of 255,116 in 1999.

### **County-Owned**

The Ahnapee Trail is a multi-use trail that links Sturgeon Bay with Algoma. Fifteen miles and 144 acres of this 28 mile trail are located in Door County. The trail is a former railroad track, has a crushed-stone surface, and provides opportunities for hiking, snowmobiling, mountain biking, equestrian use, cross-country skiing, and nature study. The trail passes through the southeast portion of Nasewaupee.

## Privately-Owned

Idlewild Golf Course is located in the northern portion of the town just west of Potawatomi State Park. Two privately owned campgrounds, previously discussed in Section 4.4 (Quasi Public Facilities), are located in the town: Quiet Woods North Campground and Jellystone Park.

## Local Parks/Trails

The town operates two town parks: Haines Town Park and Idlewild Park. The town also has several designated snowmobile trails. Map 4-1 displays the locations of these facilities. The town anticipates that its existing parks need to be more clearly identified in order to enhance public access. The town also expects that new local park facilities will be needed in order to serve higher density residential developments. Developers should be required to dedicate lands for trails, parks, and open space within new residential developments. Opportunities to develop park facilities cooperatively with the City of Sturgeon Bay may become possible as new development takes place near the town/city border. The city has already planned for two future neighborhood park sites within its growth area in Nasewaupée. See Map 8-4 (Year 2025 Preferred Land Use) for their locations. Opportunities to develop athletic facilities jointly with school districts may also help meet the town's future needs in a cost effective manner.

## Future Use

Outdoor recreation provides numerous benefits to citizens including personal, social, environmental, community, educational, and economic benefits. Outdoor recreation contributes to people's overall well-being and good health, builds new relationships between people, organizations, and families, promotes community harmony, and provides opportunities for communities/areas to capitalize on recreation-related tourism. In addition, open space areas provide environmental benefits such as protection of the biodiversity and ecological integrity of ecosystems, while at the same time allowing citizens to become educated about natural resources and to experience the peace and harmony of nature.

However, land use trends are challenging opportunities for outdoor recreation and open space, thus reducing the potential for citizens to experience the associated benefits of natural features. The amount of developed land is continually increasing, the number of farms has been on the decline, and land divisions in rural areas are creating growing numbers of smaller parcels. These trends are reducing the amount of land available for future public access. The space needed for functional recreation areas is significant. For example, the National Park and Recreation Association (Park, Recreation, Open



*The entrance to Potawatomi State Park.*

Space and Greenway Guidelines) suggests that a minimum of 3 to 4 acres be reserved for a ball field and a minimum of 2 acres be reserved for a tennis court complex. Therefore, land use planning efforts should include identifying and promoting the protection of potential recreational resources from incompatible neighboring land uses.

The need for clean and swimable public beaches will also be a concern during the planning period. Contamination of swimming areas and closing of beaches continues to be a problem in Door County. The beach at Haines Park needs attention and should be cleaned up in order to improve its capacity for public use.

#### **4.6 Solid Waste Management and Recycling**

There are no town owned facilities for either solid waste management or recycling. It is the responsibility of individual property owners to dispose of solid waste and recyclable material. The town anticipates that existing solid waste and recycling services and facilities will generally be adequate throughout the planning period and have available capacity to serve the town. Areas for potential improvement have been identified.

The town anticipates that improvements to solid waste and recycling can be accomplished by developing a burn barrel ordinance, by continuing to support the Clean Sweep program, and by exploring the enforcement of local, state, and county onsite storage or nuisance ordinances. Improper disposal of solid waste continues to be an issue of concern.

#### **4.7 Communication and Power Facilities**

The town anticipates that existing communication and power facilities and services will be adequate throughout the planning period and have available capacity to serve the town.

The majority of the town is served by Wisconsin Public Service for power needs. Portions of the town are served by Sturgeon Bay Utilities. There is an electrical substation located in the southwest corner of the town near Cloverleaf Road and STH 57.

There are three telecommunication facilities located in the town. One is located near Sawyer Drive, just outside of the City of Sturgeon Bay. One is located east of STH 42 near Coisman Road in the southern portion of the town, and another is located on Park Drive near the town hall.

#### **4.8 Sanitary Sewer Service/Private Onsite Wastewater Treatment Systems (POWTS)**

The town anticipates that some expansion and improvement of sanitary sewer service facilities will be needed throughout the planning period in order to have adequate capacity to serve the town. Specific needs relative to sanitary sewer service have been identified.

There are no public sanitary sewer service areas or facilities currently located within the Town of Nasewaupée. All wastewater treatment needs are served by private onsite wastewater treatment systems (POWTS), more commonly known as septic systems and holding tanks. The town has a

long history of studying the need for public sewer facilities. There were three sanitary districts formed and dissolved at various points in Nasewaupée's history. Map 4-2 displays the location and history of these previously created sanitary districts. Only Nasewaupée Sanitary District #3 ever received public sewer service, but that was through annexation to the City of Sturgeon Bay. Though much study and research was undertaken to evaluate cost effective options, no public sewer service was ever realized without annexation. It is anticipated that the need for public sewer service, especially along the bay shore residential areas, will need to be explored due to water quality issues. A more detailed account of the town's sanitary districts and studies can be found in the intergovernmental cooperation ad-hoc committee report to the Nasewaupée Plan Commission (February, 2003). A more detailed account of the town's water quality problems as related to sewage systems can be found in the *Agricultural, Natural, and Cultural Resources* Element.

POWTS are an issue of concern in the town and in Door County as a whole due to the physical limitations of the landscape. POWTS depend on the capacity of the soil to receive and treat wastewater in order to prevent contamination of surface water and groundwater. Most of Door County is covered by only a thin layer of soil, so effective treatment of wastewater is challenging. As a result, many properties in Nasewaupée are served by holding tanks. The use of advanced forms of wastewater treatment have also seen some use in the town due to these challenges and limitations.

The Door County Environmental Council, Inc. has recently completed a study that contains valuable information on POWTS and wastewater treatment. The *Door County Citizen's Guide to Small Wastewater Systems* (2003) includes easy to understand explanations of wastewater treatment issues and alternative solutions.

The town anticipates that the most efficient solution for effective handling of wastewater will be found by working cooperatively with the City of Sturgeon Bay to expand sewer service areas into the town. Failing septic systems, the use of holding tanks, and groundwater contamination continue to be areas of concern. It is also expected that the use of POWTS will continue as public sanitary sewer service will not be feasible throughout the town. The town anticipates the need to explore possibilities for financial assistance to help individuals who are updating expired and failing POWTS. An incentive based approach will be more effective than a regulatory program for low income property owners.

#### **4.9 Public Water Supply**

No properties in the Town of Nasewaupée are served by a public water supply. All water within the town is supplied by private wells. It is anticipated that the available water supply will generally be adequate to meet the needs of the town throughout the planning period. Specific areas where improvements are needed have been identified.

The public water supply of the City of Sturgeon Bay is impacted by lands in the Town of Nasewaupée, as the recharge areas for two of the city's wells are located within the town's borders. The *Intergovernmental Cooperation* Element addresses this issue in detail.

The town anticipates that the most efficient way to provide an adequate quality and quantity of water in higher density development areas is to work cooperatively with the City of Sturgeon Bay to expand public water service areas into the town. The town also anticipates that there will be need to work cooperatively with the city to protect municipal well recharge areas that are located within Nasewaupée. Alternatives for protection are discussed in detail in the *Intergovernmental Cooperation* Element.

#### **4.10 Stormwater Management**

The town does not have an established storm sewer system. Stormwater is generally handled by culverts and ditches along town roads. The town anticipates that some improvements to stormwater management facilities are needed in order to meet the needs of the town over the planning period.

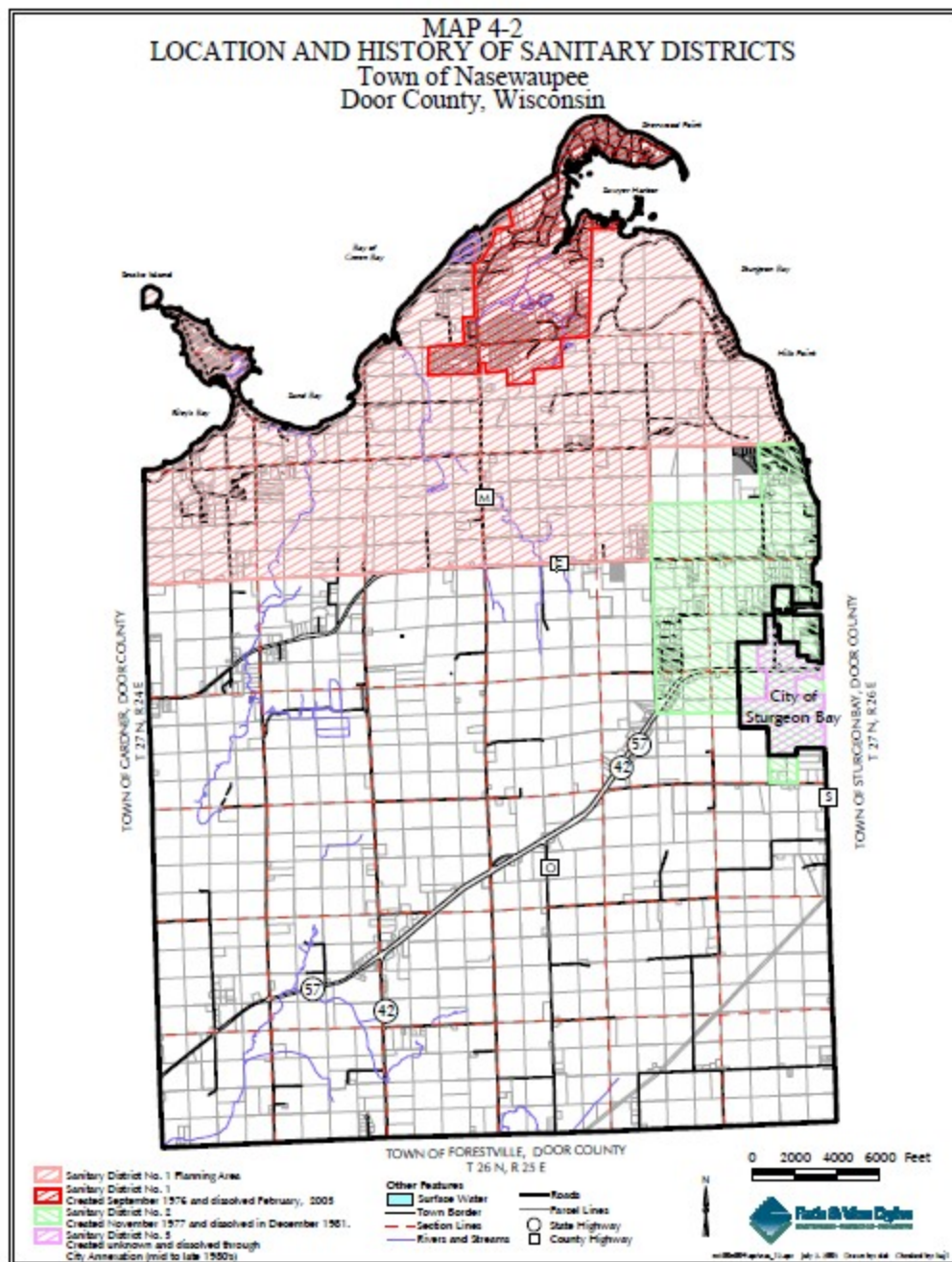
It is anticipated that the most efficient way to improve stormwater management in the town is to work cooperatively with Door County and the City of Sturgeon Bay to develop and enforce design standards that are compatible with existing state and local codes. A detailed strategy for working with the City of Sturgeon Bay for improved stormwater management can be found in the intergovernmental cooperation ad-hoc committee report to the Nasewaupée Plan Commission (February, 2003).

#### **4.11 Health Care and Day Care Facilities**

Existing health and day care facilities and services have available capacity to serve the town and appear to be adequate throughout the planning period.

Door County Memorial Hospital, located in Sturgeon Bay, provides hospital and medical services to all of Door County. Specialties of the hospital include: family practice, pain management, urology, radiology, surgery, orthopedics, OB/GYN, sleep disorders, and pulmonology. In addition to the hospital, there are seven medical clinics in the county. Four major hospitals are also located in the City of Green Bay within reasonable travel distance from Nasewaupée for non-emergency situations and specialty services.

## Map 4-2 Location and History of Sanitary Districts



## **4.12 Utilities and Community Facilities Goals and Objectives**

The following are the goals and objectives for the Town of Nasewaupee regarding utilities and community facilities.

### **Wastewater Treatment**

***Goal U/C-1: Ensure proper disposal of wastewater to protect ground and surface water supplies.***

#### **Supporting Objectives**

1. Encourage inspection of on-site sewage disposal systems and strengthen enforcement of existing regulations.
2. Discourage development in areas where holding tanks are necessary.
3. Encourage the use of innovative individual and cluster on-site wastewater technologies which better treat domestic and business flows.
4. Coordinate wastewater facility planning with land use, environmental, economic development, and growth management objectives.

### **Water Supply**

***Goal U/C-2: Protect and improve the quality and protect the quantity of town's surface and ground water resources to the benefit of fish and wildlife, recreation, and water supply for town homes and businesses.***

#### **Supporting Objectives**

1. Reduce future utilities cost by protecting groundwater supplies.
2. Manage the type, extent, and location of new growth to protect groundwater resources which are the sole source of water supply for town homes and businesses.
  - a. Direct that large developments demonstrate what impact they will have on the water quality and quantity of surrounding wells.
  - b. Establish protection of surface and groundwater resources as a high priority of town government and a controlling factor to determine allowable land uses.
3. Utilize information on the town's soils and geology to guide planning efforts to determine allowable land uses.

4. Pursue partnerships for technical assistance and funding among town, state, county, and individual landowners to address known water quality problems.
5. Support data collection and monitoring efforts that further the understanding of factors influencing the quantity, quality, and movement of surface and groundwater resources.

### **Solid Waste Disposal and Recycling Facilities**

***Goal U/C-3: Provide solid waste collection and disposal and effective recycling services that protect the public health, the natural environment, and land use quality.***

#### **Supporting Objectives**

1. Investigate a town recycling program.
2. Further explore the financial feasibility and public support for curbside pick-up services of waste within all or portions of the town.
3. Increase town involvement in decisions involving the type, location, and extent of land disposal of solid waste within Nasewaupée or outlying areas which can significantly impact local surface and groundwater resources.

### **Parks and Recreation**

***Goal U/C-4: Provide and maintain a balanced system of parks and recreational facilities that responds to the recreational, cultural, and environmental needs and desires of the community.***

#### **Supporting Objectives**

1. Improve maintenance and upkeep of existing town park and recreation facilities.
2. Investigate the expansion of town park and recreation facilities and opportunities which complement other existing local public recreational areas and facilities.
3. Identify and provide for increased recreational and public access along the Green Bay shoreline.
4. Provide adequate signage for public accesses for the waters of Green Bay and Sturgeon Bay.
5. Encourage developers, through incentives or other means, to incorporate public open space and recreation facilities in development proposals.

6. Cooperate with state and county agencies in order to expand and improve public access and park facilities.

## **Stormwater Facilities**

***Goal U/C-5: Maintain natural drainage and control stormwater quality and quantity impacts from developed lands.***

### **Supporting Objectives**

1. Preserve natural surface and sub-surface drainage systems to the maximum extent possible, as existing drainage corridors, streams, and wetlands can provide for stormwater quality and quantity control benefits at no cost to the community.
2. Maintain town road-side swales/ditches and other related stormwater facilities for both stormwater quantity and quality control.
3. Utilize grass-lined swales and other appropriate biofiltration stormwater quality and quantity control facilities to convey and treat road and stormwater runoff prior to discharge to surface and ground waters to retain rural road-side character.
4. Manage new stormwater inputs to town maintained facilities from adjacent lands in order to ensure proper control of stormwater flows and protection of town facilities.
5. Inform residents and provide opportunities for public input regarding town roadside maintenance activities.
6. Direct that developers be responsible for stormwater quality and quantity control both during (e.g., erosion and sediment control) and after site preparation and construction activities.
7. Minimize the amount of impervious surface.

## **Utilities**

***Goal U/C-6: Ensure the provision of reliable, efficient, and well-planned utilities to adequately serve existing and planned development.***

### **Supporting Objectives**

1. Actively pursue the highest levels of service from the cable, telecommunications, and technology providers offering services to the town.

2. Encourage provision of utility facilities (e.g., natural gas, fiber optics, etc.) and systems which are consistent and compatible with the uses, densities, and other elements of the Comprehensive Plan.
3. Cooperate with other agencies and jurisdictions in the planning of utilities and encourage coordination among other agencies and jurisdictions in the planning of multi-jurisdictional utility improvements to serve local and regional needs.
4. Work together with utility providers to identify utility corridors, and to ensure that the designated corridors provide flexibility for planned development.
5. Direct new utility transmission and distribution lines to be located within public rights-of-way whenever feasible.
6. Promote, when reasonably feasible, co-location of new public and private utility distribution facilities in shared trenches and coordination of construction timing.
7. Control the siting, design, buffering, and screening of above-ground utilities to minimize impacts on adjacent uses.
8. Support underground placement of new or existing distribution lines for electricity, telecommunications, and cable entertainment to maintain and enhance rural character.
9. Cellular sites should be placed in locations which provide required service without significantly impacting scenic qualities of the area.

### **Other Governmental Services**

***Goal U/C-7: Maintain high quality town services and facilities.***

### **Supporting Objectives**

1. Continually monitor population growth, age, and other demographic characteristics of the town's population to determine the need for new or expanded services.
2. Monitor the adequacy of police protection, fire protection, and emergency services over the long term.

## **4.13 Utilities and Community Facilities Policies and Recommendations**

### **Policies**

Policies identify the way in which activities are conducted in order to achieve fulfillment of the town's land use goals and objectives. Policies that direct action using the words "shall" or "will"

are advised to be mandatory aspects of the implementation of the Town of Nasewaupee Comprehensive Plan. In contrast, those policies using the words “should” or “may” are advisory and intended to serve as a guide.

Nasewaupee’s vision and priorities for utilities and community facilities led to the development of policies in seven major areas of concern: evaluation of development proposals, parks, recreation, and open space, solid waste management and recycling, communication and power facilities, sanitary sewer service, private onsite wastewater treatment systems, and stormwater management.

### **Evaluation of Development Proposals**

- ♦ Development proposals shall address the impacts to utilities and community facilities including:
  - Fire protection
  - Emergency rescue
  - Law enforcement
  - Drainage systems
  - Solid waste collection and disposal
- ♦ An approved Capital Improvement Plan/Budget must support the development of new public facilities.
- ♦ No development shall be occupied unless the approving authority first determines that adequate facilities and services are available.

### **Parks, Recreation, and Open Space**

- ♦ Concentrated residential developments shall contain or be within the service area of a park facility that provides either active or passive recreation opportunities.
- ♦ All park facilities shall be in compliance with the Americans with Disabilities Act.
- ♦ Development near the Potawatomi State Park shall not negatively impact the natural area, its resources, or aesthetic features.
- ♦ Development proposals within the RBS and RS land use management areas shall address public access to water.

## **Solid Waste Management and Recycling**

- ♦ Solid waste disposal sites and landfills should be located and designed to protect surface and groundwater. They should be located outside of municipal well protection zones and in areas of low to moderate groundwater contamination risk.
- ♦ Hazardous materials shall be properly disposed of.

## **Communication and Power Facilities**

- ♦ The town shall work with the county to review all permits relative to the placement of telecommunication towers, antennas, wind energy structures, and related facilities within the town. Acceptable land use management areas for the possible placement of such facilities shall be determined by town ordinance.
- ♦ Telecommunication facilities and towers shall utilize and coordinate with existing facilities to the maximum extent possible and shall be designed to be as safe and unobtrusive as possible.
- ♦ Incentives may be considered by the town to encourage developments that incorporate extraordinary energy conservation measures.

## **Sanitary Sewer Service**

- ♦ Concentrated residential development shall consider the feasibility and water quality impacts of a wastewater collection and treatment system.

## **Private Onsite Wastewater Treatment Systems (POWTS)**

- ♦ Whenever possible, utilize the most appropriate on-site waste treatment technology as a replacement for failing systems.
- ♦ All unsewered subdivisions shall be designed to protect the immediate groundwater supply through the proper placement and operation of private wells and on-site wastewater treatment systems or a public wastewater collection and treatment system.

## **Stormwater Management**

- ♦ Stormwater management will be addressed as a requirement of all development proposals with an appropriate level of review based on potential negative impacts caused by construction site erosion and post-construction runoff.

- ♦ Stormwater retention basins will be blended into the natural landscape or required landscaping to the greatest extent possible.

### **Health Care and Protective Services**

- ♦ The town shall meet annually with police, fire, and emergency service officials to address equipment needs and purchases in order to facilitate optimal timing and funding of purchases.
- ♦ The town should support health and child care service provision as home businesses.

### **Educational Services**

- ♦ The town shall encourage discussions that consider the long term local impacts of consolidating Door County school districts.

### **Recommendations**

1. Conduct a space assessment study to address town hall and office needs including public meeting space, furnishings, and equipment to facilitate and support plan implementation and other necessary town functions, record storage, and provisions for the duties of the town clerk, treasurer, land use administrator, building inspector, and constable. The study should evaluate the potential impact of joint administration of programs with other jurisdictions.
2. The town should develop a more detailed outdoor recreation plan in cooperation with the City of Sturgeon Bay to determine future park needs including location, size, and functions.
3. Develop a burn barrel ordinance.
4. The town should study and pursue opportunities to contract with private waste haulers in order to improve solid waste and recycling services over the long term.
5. The town should develop standards for communication towers, power transmission lines, and power plants that encourage maximizing the use of existing facilities and rights-of-way.
6. The town, in cooperation with Door County, should develop a private onsite waste treatment system monitoring program that would establish a periodic inspection time frame (i.e. cover the whole town every 10 years).

#### **4.14 Utilities and Community Facilities Programs**

The following programs are available to the town regarding utilities and community facilities. The following list is not all-inclusive and it should also be noted that for specific information regarding the program the group or agency offering program is the best source of the most up to date and accurate information.

##### **Wisconsin Department of Public Instruction (DPI)**

The Wisconsin Department of Public Instruction offers several grants, programs, and aid to communities with respect to school facility, services, and education improvement. Through the DPI web-site, [www.dpi.state.wi.us](http://www.dpi.state.wi.us), a link titled *Grant Information* offers a comprehensive listing ( ordered alphabetically with their respective ID number, description, and type of grant) . Links are provided to pages with grant details, special requirements, and contact information.

##### **Community Development Block Grant for Public Facilities (CDBG-G-P F)**

The Wisconsin CDBG Public Facilities Program is designed to assist economically distressed smaller communities with public facility improvements. Some eligible activities for funding include utility and street improvements, fire stations and emergency vehicles, and community/senior centers and shelters. The Wisconsin Department of Commerce, Bureau of Community Finance should be contacted for further information.

##### **Community Development Block Grant Public Facilities for Economic Development (CDBG-PFED)**

The CDBG Public Facilities for Economic Development Program helps underwrite the cost of municipal infrastructure necessary for business development that retains or creates employment opportunities. Eligible activities are improvements to public facilities such as water systems, sewerage systems, and roads that are owned by a general or special purpose unit of government, and which will principally benefit businesses, and which, as a result, will induce businesses to create jobs and invest in the community. The Wisconsin Department of Commerce, Bureau of Community Finance should be contacted for further information.

##### **Clean Water Fund Program**

Funds are available to protect water quality by correcting existing wastewater treatment and urban storm water problems and preventing future problems as per s. 281.5 8 and 281.5 9, Wis. Stats. Cities, towns, villages, counties, town sanitary districts, public inland lake protection and rehabilitation districts, metropolitan sewerage districts, and federally-recognized tribal governments are eligible to apply. Eligible projects include construction of treatment works, sewer systems, and interceptors. Approved projects are necessary to prevent violation of discharge permits, meet new or changed discharge limits, correct water quality or human health problems in unsewered areas, or to treat urban stormwater runoff. Low interest loans are

available for planning, design, and construction of wastewater treatment projects and urban storm water runoff projects approved by the Department. The program is offered from the WDNR , Bureau of Community Financial Assistance.

### **Household Hazardous Waste Collection Grant (Clean Sweep)**

Funds are available to municipalities to create and operate local "clean sweep" programs for the collection and disposal of household hazardous waste. Any type of program for the collection and disposal of household hazardous wastes, including permanent collection programs, are eligible. The program is offered from the WDNR , Bureau of Community Financial Assistance.

### **Recycling Grants to Responsible Units**

Funds are available to provide financial assistance to local units of government to establish and operate effective recycling programs. "Responsible units" (the local unit of government responsible for implementing its recycling program) are eligible to apply. A portion of the recycling program costs of a responsible unit are eligible for grant assistance. The program is offered from the WDNR, Bureau of Community Financial Assistance.

### **Well Compensation Grant**

Funds are available for the replacement of contaminated private water supply wells. The owner or lessee of a residential well contaminated by a substance of public health concern, other than bacteria or nitrates, or a livestock well contaminated by a substance other than bacteria. Wells serving commercial establishments exclusively are not eligible. Persons whose annual family income is more than \$65 ,000 are not eligible. Cost sharing is provided at 75 % but not more than \$9,000. The amount of the grant is reduced by \$.30 for each \$1.00 of the applicant's annual family income over \$45 ,000. Eligible types of projects include reconstruction of an existing well, drilling a new well, connecting to an uncontaminated private or public water supply, state approved treatment units, and temporary bottled or trucked water. Contact the WDNR for further information.

### **Wisconsin Fund**

The Wisconsin Fund provides grants to homeowners and small business owners to offset a portion of the cost of repair, rehabilitation, or replacement of existing failing POWTS. Through an appropriation by the state legislature, \$3.5 million is currently available on an annual basis in 66 of Wisconsin's Counties. Wisconsin Department of Commerce, Safety and Buildings Division works in conjunction with county government officials in eligibility considerations and preparation of grant applications. A portion of Wisconsin Fund is set aside for Safety and Buildings to fund experimental POWTS, with the goal of identifying additional POWTS choices for people faced with replacement of their failing POWTS. The Wisconsin Fund Grants Specialist is Jean Joyce, [jjoyce@commerce.state.wi.us](mailto:jjoyce@commerce.state.wi.us), 608-266-7113.

## **5 Agricultural, Natural, and Cultural Resources**

This element provides background information regarding the agricultural, natural, and cultural resources of the Town of Nasewaupée. The analysis in this element include soils, farmland, topography, geology, mineral resources, vegetation types, watersheds and drainage, wetlands, floodplains, surface water features, groundwater, air quality, environmental corridors, threatened and endangered species, wildlife habitat, historic and archaeological sites, and cultural resources. These features present opportunities for conservation and development and need to be considered when making decisions concerning future development within the town.

Nasewaupée's location on the Door peninsula puts the town's resources in a uniquely delicate position. One of the major thoroughfares into the Door peninsula, State Highway 57, traverses the town, and the associated development pressures have impacted the landscape. Many unique resources located in Nasewaupée deserve special consideration including: the Niagara Escarpment, Potawatomi State Park, the Green Bay coast, and several historic sites.

### **5.1 Soils**

The use and management of soil has many impacts on the Town of Nasewaupée. Soil forms the foundation that all other ecosystems depend upon – plant life, wildlife, streams, wetlands, and lakes. Soils may also pose limitations to our use of the land in activities such as agricultural production, building development, septic system installation, and road construction.

Soils found in Nasewaupée formed in glacial landscape features known as till plains and ridges. Soil associations within the town include:

#### **Summerville-Longrie-Omena**

This is the most common soil association in Door County and is found where bedrock has strongly influenced the topography. A great deal of the soil in this association has a very shallow depth to the dolomite bedrock. These shallow, loamy soils pose the most difficult challenges to protecting groundwater from sources of potential contamination. These soils are found mainly in the northeast and west central portions of the Town of Nasewaupée.

#### **Emmet-Solona-Angelica**

This soil association, found primarily in southern Door County, is present throughout much of the Town of Nasewaupée. These sandy and loamy soils have the greatest depth to bedrock in the town, but can pose limitations to various types of development due to seasonally high groundwater in some locations. These soils can be found throughout the eastern and southern portions of the town and are also present in the northwest.

## Map 5-1 Land Cover and U.S.G.S. Quadrangles

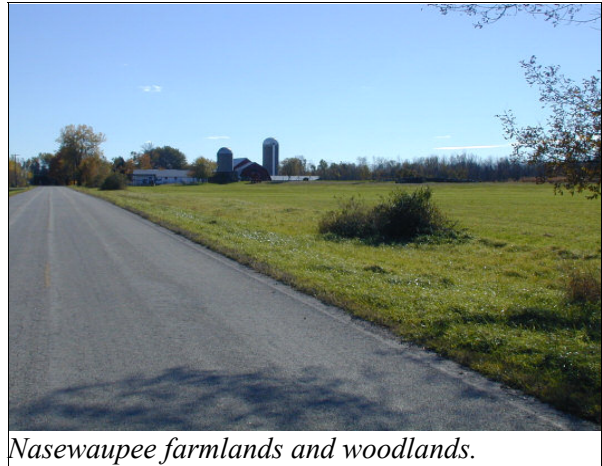
## Kewaunee-Kolberg-Manawa

This soil association, found only in far southern Door County, occurs in the southwestern and north central portions of the town. Depth to bedrock varies in these soils, with a shallow depth of 20 to 40 inches in some locations. This association includes many of the town lands best suited for agriculture. Kewaunee and Kolberg soils have high natural fertility and have only a slight hazard for erosion.

## 5.2 Farmland and Woodland

### Current Status of Agriculture

The trends experienced in the agricultural industry in Nasewaupée between 1990 and 1998 are likely to continue throughout the planning period, as economic, political, and social factors continue to impact the profitability of agriculture. According to the *Wisconsin Town Land Use Databook* (U.W. - Cooperative Extension, 1999):



*Nasewaupée farmlands and woodlands.*

- ♦ There were 146 farms in the town in 1997, more than in any other Door County community. There were approximately 3.4 farms per square mile in the town compared to 1.8 farms per square mile in Door County overall.
- ♦ The number of dairy farms in the town declined from 34 in 1989 to 22 in 1997, a 35.5% decline.
- ♦ The number of acres of farmland on the tax roll (including land with improvements) declined by 3% in the town between 1990 and 1997.
- ♦ Between 1990 and 1997, 59 parcels of farmland were sold, comprising 2,222 acres. Of this land, 1,364 acres continued in agricultural use while 858 acres were converted to other uses. Overall, approximately 5.8% of the town's farmland was sold and converted to other uses between 1990 and 1997.
- ♦ Recent trends experienced throughout the agriculture industry include an increase in the size of individual farms, a decline in the number of farms, and a decline in total acreage in agricultural use. These trends are also taking place in Nasewaupée and can be attributed primarily to development pressures and a poor farming economy. In Door County, the distance to markets or supplies, and poor soil conditions are also key factors.

In 2000, six landowners in Nasewaupee participated in The Wisconsin Farmland Preservation Program, enrolling 674.5 acres of the town's 11,000 plus acres of farmland. As Nasewaupee does not have exclusive agricultural zoning, landowners must participate by contracting directly with the state.

### **Productive Agricultural Areas**

Despite declining numbers of farms, agriculture remains the dominant land use in the town of Nasewaupee and is a major contributor to the local economy. Approximately 11,734 acres of land in the town is currently in agricultural use as cropland, with an additional 171 acres in specialty crops such as cherry and apple orchards. Of the non-specialty cropped farmland, nearly 60% was comprised of primary row crops. Forage crops comprised the remaining 40%.

Approximately 10,762.0 acres (38.5%) of land in Nasewaupee is classified as prime farmland based on soil characteristics as defined by the Natural Resource Conservation Service (NRCS) (see Map 5-2). An additional, 5,157.6 acres (18.4%) are identified as prime farmland when properly drained for a combined total of approximately 57% (15,920 acres) of the town's total acreage.

### **Woodlands and Vegetation Types**

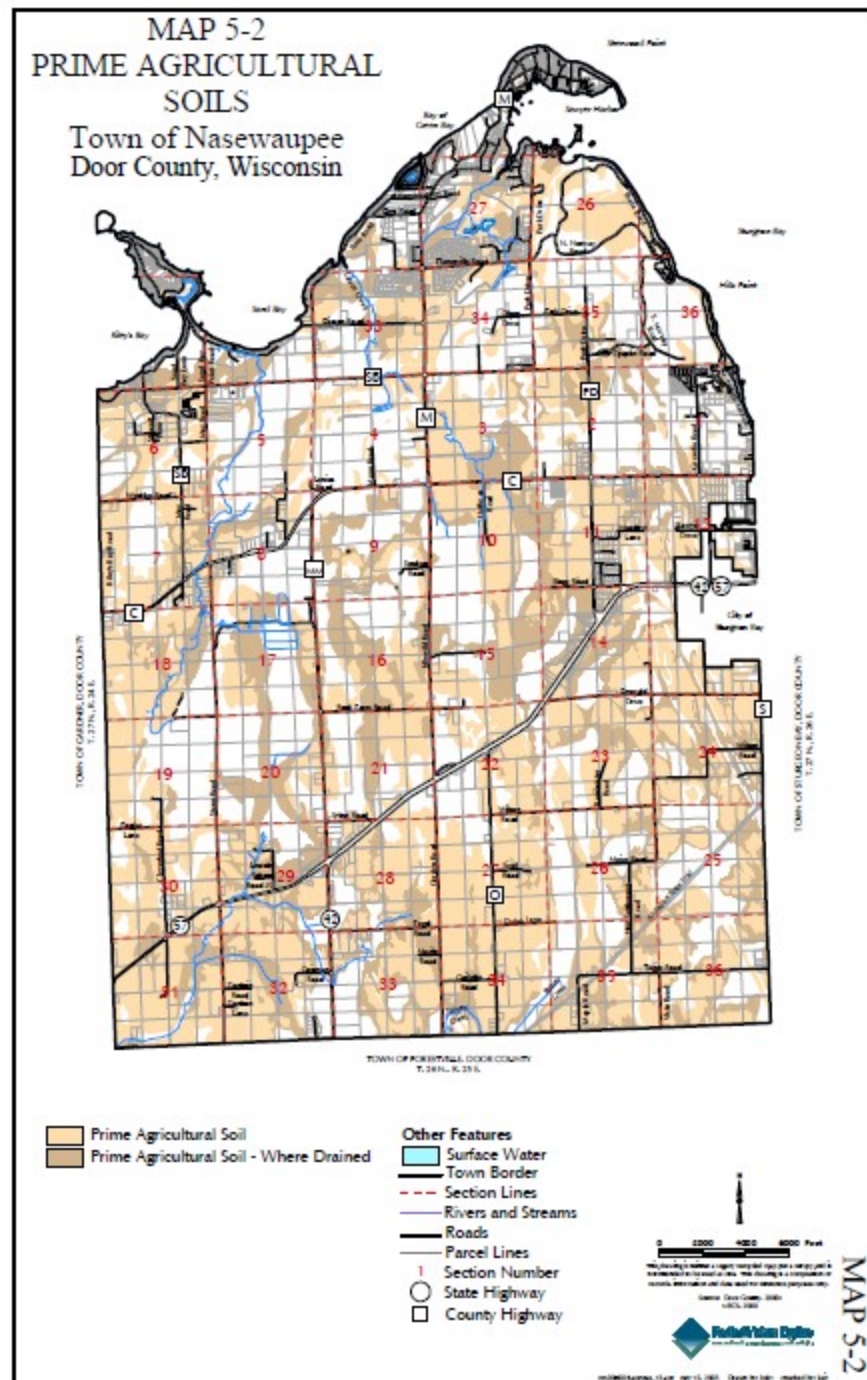
Historically, Nasewaupee was once covered with a combination of mixed coniferous-deciduous forest species including beech, hemlock, sugar maple, yellow birch, white pine, and red pine, and wetland vegetation consisting of swamp conifers such as white cedar, black spruce, tamarack, and hemlock. This was the case throughout Door County according to a map of the original vegetative cover of Wisconsin in the mid-1800s was compiled from the U.S. General Land Office Notes by Robert W. Finley, 1976. The two small "peninsula" areas in the northern portion of the town were covered by deciduous forest species including white, black, and bur oak.



*Wooded lands along Cliffview Drive.*

Today, much of the native vegetation which once covered Nasewaupee has been converted to agricultural use. Loss of native vegetation is also attributed to residential and business development, including the infrastructure to support such growth (i.e., roads, utilities). Map 5-1 shows the existing land cover within the town based on WDNR LandSat Thematic Mapper (TM) satellite imagery from 1991, 1992, and 1993, which provides the best available information on the location and diversity of general plant types within the town. The land cover is classified into a detailed breakdown of agricultural types, woodland species, wetland species, and other vegetation types (i.e., grassland).

## Map 5-2 Prime Agricultural Soils



**Table 5-1**  
**Town of Nasewaupee Land Cover Types**

General Plant Community Type	Acres	Percent of Total Town
<b>Forest (Upland)</b>	<b>4,073.7</b>	<b>14.6%</b>
Mixed/Other Coniferous	1,028.7	3.7%
Mixed/Other Broad-Leaved Deciduous	3,045.0	10.9%
<b>Wetland</b>	<b>6,035.6</b>	<b>21.6%</b>
Forested: Broad-Leaved Deciduous	3,035.2	10.9%
Forested: Coniferous	484.9	1.7%
Forested: Mixed Deciduous/Coniferous	811.1	2.9%
Emergent/Wet Meadow	887.1	3.2%
Lowland Shrub	817.3	2.9%
<b>Grassland</b>	<b>2,943.3</b>	<b>10.5%</b>
<b>Other (primarily ag. land)</b>	<b>14,892.8</b>	<b>53.3%</b>
Total Town Acreage	27,945.4	100.0%

Source: Calculated from LANDSAT Thematic Mapper (TM) satellite imagery from 1991, 1992, and 1993.

Table 5-1 identifies the extent of each land cover type in Nasewaupee. Approximately 15% of the town is covered by upland forest vegetation which is scattered throughout the town. The largest tracts include those in Potawatomi State Park, the peninsula area between Riley's Bay and Sand Bay, and an area in the western portion of town just south of CTH C. Wetland vegetation comprises approximately 22% of the town's landscape. Most town wetlands are forested (16%). Emergent/wet meadow wetlands and lowland shrub wetlands each comprise about 3% of town wetlands. Grassland areas comprise an additional 11% of the town's landscape.

The scenic and recreational values of woodlands are vital to the attractiveness of the region for both residents and visitors. Woodlands contribute to the visual integrity of the community, to the tourist economy, and to recreational opportunities such as hunting, trapping, mushroom, berry and nut collecting, wildlife viewing, and hiking. Woodlands also help to maintain the environmental quality of the area by contributing to clean air and water and providing habitat for a diversity of plant and animal life, while from an agricultural perspective, woodlands play a vital role by providing soil conservation benefits by reducing the amount of wind and water erosion. In addition, woodlands also serve a vital function which is often overlooked - the infiltration of

precipitation for groundwater recharge. This provides clean, cool groundwater inflow to lakes, streams, and wetlands, and replenishes well water supplies.

Woodlands are attractive areas for residential development. However, undeveloped tracts of woodlands must remain in order to provide refuge, passage, food, and shelter for wildlife in the town and region. Without proper planning, development can damage or destroy the scenic values of woodlands, especially along shores, bluffs, and forest edges.

Programs are available which can be utilized by private landowners to help preserve the woodland resources in the town. These programs, such as Wisconsin's Managed Forest Law (MFL) program and the Federal Conservation Reserve Program (CRP) encourage tree planting and the sustained management of woodland resources to help landowners accomplish this objective. Such programs are already being utilized by some landowners in the town. For example, approximately 967 acres of woodlands in the town were enrolled in Wisconsin's Managed Forest Law Program in the year 2000, and an additional 200 acres were enrolled in Wisconsin's Forest Crop Law program.

### **5.3 Geology**

Geological features directly influence the topography, soils, surface water, and groundwater of a particular area, and indirectly influence many other natural resources as well. Understanding the geology of the town is important in planning for the future. The results of geological processes that have occurred over time are often hidden, but in the Town of Nasewaupee, they are very prominent. The town's major geologic features are shown on Map 5-3.

The most prominent geological feature in the town is the exposed face of the Niagara escarpment. These bluffs are part of a bedrock formation that extends to the Niagara region of the State of New York. Other important elements of the geology of this area are the other layers of bedrock, the influence of glacial activity, and lake deposits. Karst features are also a significant result of the bedrock geology of the town. Karst sinkholes, cracks, and caves have important implications for land use planning.

#### **The Niagara Escarpment**

The Niagara escarpment is a 650 mile, sickle shaped cuesta (a ridge with a steep face on one side and a gentle slope on the other) which begins south of Rochester, New York, continues through Canada, the Upper Peninsula of Michigan, and into Wisconsin. The escarpment is the upturned edge of a basin of rock that extends under the whole of the lower peninsula of Michigan and portions of Ontario and New York. The escarpment follows the western edge of the Door peninsula and continues through eastern Wisconsin. In the Town of Nasewaupee, the path of the escarpment generally follows the shoreline of Sturgeon Bay and then curves southwesterly parallel to Green Bay at about 1 to 2 miles from the shoreline (as shown by the heavy red line on Map 5-3). The bluff face reaches heights of more than 150 feet.

## **Bedrock Features**

The youngest layer of rock found closest to the ground surface is known as Silurian dolomite. This dolomite is a calcareous (calcium carbonate) rock with high concentrations of magnesium and a small concentration of iron. Underlying the dolomite is an older layer of rock known as Maquoketa shale. The Niagara escarpment is composed of these layers of dolomite and shale and occurs where the edge of the formation is exposed to the surface.

Underlying the upper layers of dolomite and shale are older layers of dolomite, shale, and sandstone known as Ordovician aged rock. These Silurian and Ordovician aged layers of rock all dip slightly toward the lower peninsula of Michigan, creating the cuesta land form. Cambrian sandstone and Pre-Cambrian rock are found below the Ordovician layers.

## **Karst Features**

The solubility of the Silurian age dolomite has resulted in the formation of karst features. These features include cracks and crevices in the bedrock, caves, collapses, sinkholes, and swallets. A swallet is a crevice that has intercepted a stream course and diverted the flow underground. Karst features form when dolomite rock reacts with a natural bi-product of rain - carbonic acid. Carbonic acid is simply a combination of rain water with carbon dioxide from the atmosphere. The dolomite neutralizes the acid and dissolves over time, weakening the structure of the rock. Known locations of karst features in the town have been identified on Map 5-3.

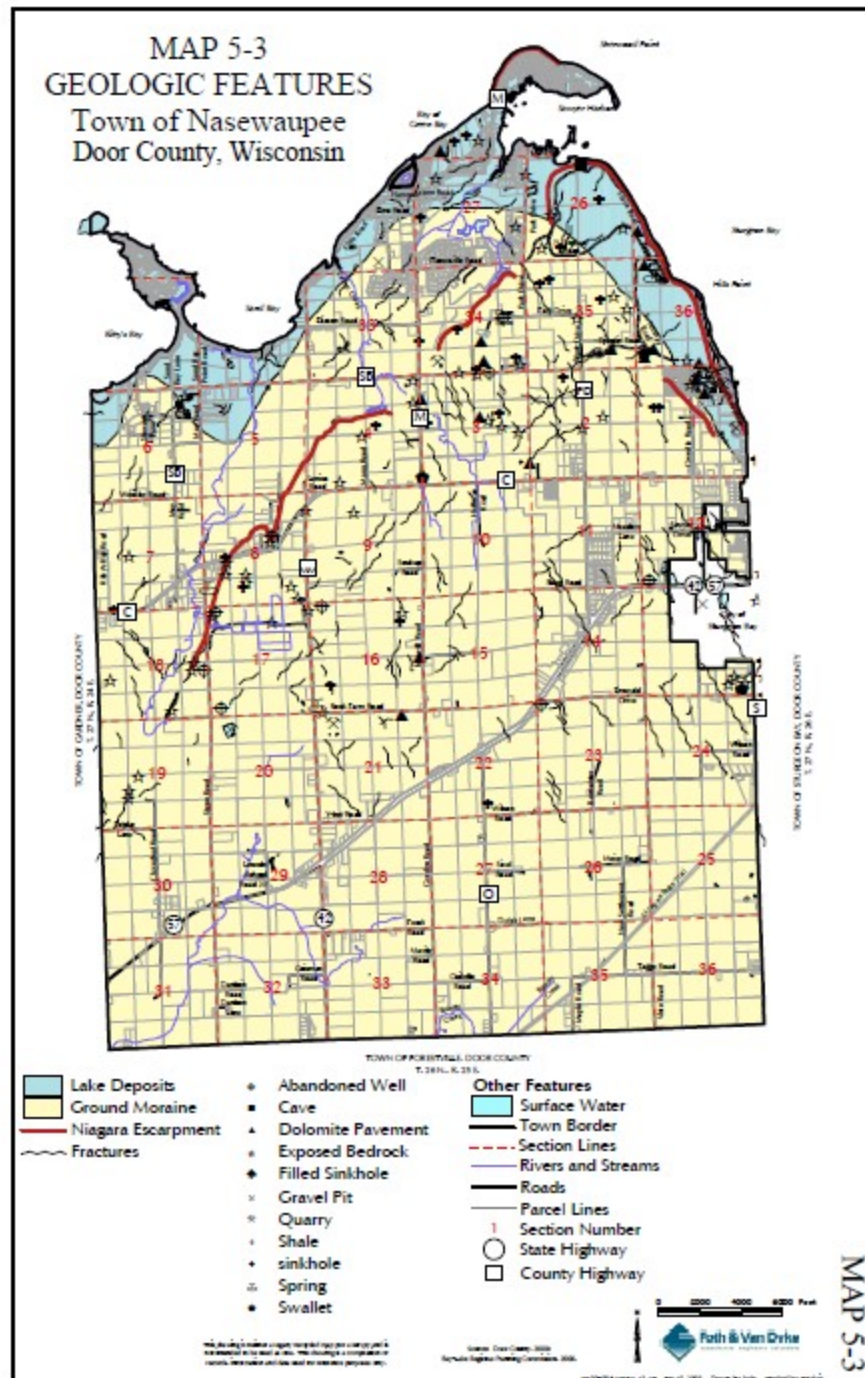
## **Glacial Features**

The vast majority of the town's landscape is the result of the action of glaciers. The movement of glaciers scoured the Niagara escarpment, removing some of the weakened dolomite. Melting glaciers deposited varying depths of soil over most of Nasewaupee. All of the land in the town not directly adjacent to the shoreline is considered a ground moraine where glaciers halted and began to melt during their retreat. Drumlins exist in the Town of Nasewaupee and are characterized by smooth, streamlined hills composed of glacial till with a blunt nose and gently sloping tail which is oriented in the direction of the glacial retreat. Drumlin features are common throughout Wisconsin, however they are relatively rare in Door County.

## **Lake Deposits**

The landscape along the shoreline of Nasewaupee has been influenced by the fluctuation of water levels in Lake Michigan and Green Bay. Deposits of silt and sediment and the scouring action of waves have combined with the bedrock features and action of glaciers to produce what is seen today.

## Map 5-3 Geologic Features



## 5.4 Topography

Topography is the shape, configuration, relief, and roughness of the land's surface. Map 5-3 shows the geologic and topographic features of the town, and Map 5-1 includes the topographic contours. Topography in the Town of Nasewaupee can be described as level to gently rolling and rolling. Elevations in the town range from a low of approximately 580 feet above sea level along the shoreline to a high of about 730 feet above sea level in the southern portions of the town.

The major topographic features of Door County and the Town of Nasewaupee are products of the underlying Niagara Escarpment and overlying glacial drift. The most variety in elevation is associated with geologic features including the limestone bluff (Niagara Escarpment) and glacial deposits such as drumlins and eskers. More level areas of the town are associated with the lake deposits along the shore and ground moraine inland of the escarpment. Karst features also result in varied elevations on a localized scale.

The topographical features in the town provide visual integrity, historic value, and serve as the basis for the formation of the significant wetland complexes in the town. Land use considerations should aim to preserve these features, which in most cases can be accomplished through low density developments and design criteria. However, in some instances, outright prohibition of development or protective ownership should be considered.

## 5.5 Metallic and Nonmetallic Mineral Resources

Metallic and nonmetallic mineral resources are concentrations of naturally-occurring solid materials in or on the earth's crust which occur in such a form or amount that economic extraction of a commodity from the concentration is currently or potentially feasible. Metallic mineral resources include metals, such as nickel, copper, lead, iron, gold, and zinc, and nonmetallic mineral resources include minerals such as sand, gravel, and stone.

Metallic and nonmetallic mineral resources are non-renewable, meaning that once the resources from a deposit have been exhausted, new supplies or suitable substitutes must be found. Adequate supplies of some mineral resources, such as sand and gravel, are relatively easy to find. Other resources, such as manganese, which is essential for the manufacture of steel, are limited or must be imported from other parts of the world. The total amount of a commodity or mineral, whether discovered or undiscovered, is called a *resource*; a commodity or mineral *reserve* is the part of the resource that can be extracted economically.



*An active quarry operation in Nasewaupee.*

The Town of Nasewaupee has active and inactive nonmetallic mines which are found scattered throughout its jurisdiction. They comprise approximately 91 acres. These mines include quarries for sand, gravel, rock, and related minerals which provide required materials for construction and road building, crushed limestone and dolomite for agricultural lime, and dimensioned stones and topsoil for various decorative and landscaping uses.

The Door County Zoning Ordinance regulates nonmetallic mines in zoned areas of the county, requiring these operations to submit a site plan, operational plan, reclamation plan, and copy of the lease. Door County also regulates all nonmetallic mine sites, regardless of county zoning jurisdiction, through its Nonmetallic Mining Reclamation Ordinance as required by Wisconsin Administrative Code, Chapter NR 135. The Town of Nasewaupee has also established an ordinance to govern nonmetallic mining operations within its jurisdiction. See Appendix A for additional details on these codes and ordinances.

There are no known metallic mineral resources located in the Town of Nasewaupee.

The continuation and expansion of mining as an industry in Nasewaupee will depend upon efforts to identify the location of extractable mineral resources in the town and preserve these areas for such use. Only then can future development be directed away from these sites in order to avoid the incompatibility issues between mining operations and residential uses.

## **5.6 Watersheds and Drainage**

A watershed is an area of land in which water drains to a common point such as a stream, lake, or wetland. In Wisconsin, watersheds vary in scale from major river systems to small creek drainage areas, and typically range in size from 100 to 300 square miles. River basins can contain several watersheds. There are 32 river basins in Wisconsin which range in size from 500 to over 5,000 square miles. The WDNR prepares water quality management plans for each river basin which identify the sources of water quality problems and identify management objectives for the WDNR, local communities, counties, and other agencies to protect and improve the water resources within the basin.

The Town of Nasewaupee lies within the Twin-Door-Kewaunee Basin, which includes the Red River and Sturgeon Bay Watershed, Ahnapee River Watershed, and Stony Creek Watershed (see Map 5-4). The Twin-Door-Kewaunee Basin encompasses all of Door and Kewaunee Counties, and portions of western Brown and northern Manitowoc counties. The most recent water quality management plan for this basin was completed in 1995. The 1995 basin plan identified polluted runoff as the primary cause of water quality problems in the basin.

The Ahnapee River Watershed extends into the southwest portion of Nasewaupee. This watershed has been identified as particularly susceptible to groundwater degradation due to shallow soils, and exposed, fractured bedrock. In the 1995 Twin-Door-Kewaunee basin plan, the Ahnapee River Watershed was ranked as a “high” priority watershed for involvement in the Wisconsin Nonpoint Source Water Pollution Abatement Program based on the high groundwater

rankings. Nonpoint sources of pollution are likely degrading water quality in several streams within the basin.

The Stony Creek Watershed lies in the southeast portion of the town. Like the Ahnapee River Watershed, this watershed is also particularly susceptible to groundwater contamination due to shallow soils and exposed, fractured bedrock, and was also given a high ranking for selection as a priority watershed project due to its “high” groundwater ranking.

The majority of the town is included in the Red River/Sturgeon Bay Watershed. This watershed was selected as a priority watershed project in 1992. The resultant Nonpoint Source Pollution Control Plan for the Red River/Sturgeon Bay Watershed Project which was completed in 1996, identified nonpoint sources of pollution in the watershed including animal lots, runoff from paved surfaces and rooftops, cropland and streambank erosion, and erosion from developing and established urban areas. The pollutants have degraded both ground and surface water quality in the watershed, hence reducing opportunities for safe drinking water, recreational uses, and aquatic life. Implementation of the project commenced in 1995, and is still in progress with anticipated completion in the year 2005.

Watersheds and subwatersheds are important in the planning process as these delineations identify the water features that are directly and indirectly impacted from land use decisions. Not only are water bodies within the town affected by land uses and associated land applications, but all water bodies within the watershed, which generally include a significantly larger area, are impacted. Therefore, the town should be conscious of this fact and plan accordingly, and should stay involved in watershed related issues.

## **5.7 Wetlands**

Wetlands are a critical part of a region’s hydrologic and ecological structure. They act as sources, sinks or routes for water, materials (e.g., nutrients, pollutants), energy, and biologic activity. Maintaining this structure promotes a region’s health and sustains its capability to survive disturbance. It also effects the beneficial functions and values that wetlands provide to society such as:

- ♦ Wetlands act as a natural filtering system for nutrients such as phosphorus and nitrates, and thus aid in maintaining surface water and groundwater quality.
- ♦ Wetlands are very productive wildlife habitat, and consequently create recreational opportunities such as hunting, trapping, and bird watching.
- ♦ Wetlands provide open/green space.
- ♦ Wetlands recharge groundwater supplies, the source of drinking water for the Town of Nasewaupée’s residents.

- ♦ Wetlands attenuate flood flows which decreases the risk of flood damage to property owners.
- ♦ Wetlands maintain base flows of streams and watercourses which is important to the continued well-being of aquatic ecosystems and associated wildlife habitat.
- ♦ Wetlands reduce soil erosion.
- ♦ Wetlands serve as a natural buffer protecting shorelines and streambanks.

The state of Wisconsin operational definition of a wetland is defined as an area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions (s. 23.32(1) Wis. Stat.). Most wetlands are dominated by plants which can tolerate various degrees of flooding, with species composition and productivity dependent on the variations in water patterns and human activities (e.g., cultivation, grazing, logging).

There is an abundance of wetlands scattered throughout Door County. There are 6035.6 acres of wetlands in the Town of Nasewaupee which comprise approximately 22% of the town's total area. According to the U.S. Army Corps of Engineers (1992), approximately 256.5 acres of wetlands (4.2% of all wetlands in the town) are protected through public or non-profit ownership. The general location and extent of wetlands within the town, as determined by the Wisconsin Department of Natural Resources (WDNR) Wisconsin Wetland Inventory (WWI), are shown on Map 5-4. It should be noted, however, that this inventory may not include all wetland areas in the town including those which may be considered wetlands according to the USDA's Natural Resource Conservation Service (NRCS) and the U.S. Army Corp of Engineers. Conversely, some areas may be incorrectly mapped as wetlands. Field determinations performed by a qualified professional are required to establish actual wetland boundaries.

The WDNR's WWI further classifies wetlands based on vegetation, general hydrologic characteristics, and other characteristics. This provides additional information as to plant community types, habitat diversity, seasonal water availability, and modifications for individual wetlands.

The Town of Nasewaupee contains a variety of wetlands, however is dominated by forested wetlands which comprise over 4,300 acres and are primarily broad-leaved deciduous species. Several significant wetland complexes exist in the town, including the Hungry Settlement Swamp (Deadman's Bog), Cunningham Swamp (Idlewild Road), and the Cabot's Point Wetlands.

According to *Developing an Effective Wetland Protection Program in Door County* (Scheberle & Pagel, 1999), Door County has a unique wetland characteristic, being home to the majority (51.4%) of the state's ridge and swale wetland complexes. These complexes are important as they comprise significant environmental corridors which support unique plant communities and

wildlife. Wetlands in the town having this characteristic should be identified and protection efforts should be implemented to preserve these unique wetland areas.

Due to the significant environmental functions provided by wetlands, there is a complex set of county, state, and federal regulations which place limitations on the development and use of wetlands. Counties are mandated to establish shoreland-wetland zoning districts. The Door County Shoreland Zoning Ordinance regulates use and development in all shoreland areas (300' of navigable streams, 1000' of lakes) including all shorelands which are designated as wetlands on the Wisconsin Wetland Inventory maps (see Map 5-4). The WDNR regulates the placement of structures and other alterations below the ordinary high water mark of navigable streams and lakes. In addition, the U.S. Army Corps of Engineers has authority over the placement of fill materials in wetlands within its jurisdiction, while the USDA incorporates wetland preservation criteria into its crop price support programs. Therefore, prior to placing fill or altering a wetland resource, the appropriate agency(ies) must be contacted to receive authorization. Ultimately, development within wetland areas should be avoided.

## **5.8 Floodplains**

Lands adjacent to creeks, rivers, lakes, and wetlands are susceptible to occasional flooding. Floodplain maps developed by the federal government delineate lands adjacent to these water features that would be inundated by the regional flood (also known as the 100 year flood), which is subject to a one percent or greater chance of flooding in any given year. It should be noted that floodplains have not been mapped for all water features.

Similar to wetlands, floodplains provide many known ecological and societal benefits and functions (e.g., flood storage, wildlife habitat), and pose severe constraints for development, therefore local, state, and federal regulations have been established to regulate and limit uses and activities within floodplains.

The most recent source for identifying areas subject to flooding in the Town of Nasewaupee is the Flood Insurance Rate Map (FIRM) for Door County developed by the Federal Emergency Management Agency (FEMA). This map which became effective in 1983. Mapped floodplains in the town are found primarily along the Stony Creek corridor and in scattered areas along the Green Bay shoreline, comprising approximately 511.6 acres or 1.8% of the town's total acreage (see Map 5-4). These flood areas are designated primarily as Zone A (areas of 100-year flooding) where base flood elevations and flood hazard factors have not been determined.

The FIRMs are intended for flood insurance purposes only, and therefore may not include all flood hazard areas in the town. Additional field checking may be required to determine whether or not a given area is in the floodplain before development is authorized or denied.

Areas susceptible to flooding are considered unsuitable for development. Following are the reasons why growth should be directed away from floodplains:

- ♦ Preserve existing natural infrastructure to convey, store, and treat floodwaters.
- ♦ Allow areas for natural movement of streams.
- ♦ Avoid known areas susceptible to flooding because of the risk of injury and property damage.
- ♦ Save future public and private dollars spent on flood control, habitat restoration, surface water quality and improvement, and rescue services.
- ♦ Preserve physical and hydrologic connections between different habitat types.
- ♦ Retain rural character by protecting undeveloped areas currently associated with most of Nasewaupée's floodplain areas.
- ♦ Protect remnant undeveloped or uncultivated floodplain and shoreland areas important for fish and wildlife habitat, recreation (e.g., hunting, fishing), and maintaining rural character.
- ♦ Provide for natural areas to filter pollutants prior to entry into surface water areas.

Construction or development within floodplain areas should be limited to recreational activities or wildlife applications.

## **5.9 Surface Water Features**

Surface water features comprise one of Door County's most important natural resources. Door County has the second highest mileage of shoreline of any county in the United States. Overall, the county contains approximately 250 miles of shoreline along Lake Michigan and Green Bay, as well as numerous lakes and streams, making it a premier destination for vacationers and recreationists. Maintaining surface water quality is important for recreational, fishery, wildlife habitat, and scenic opportunities.

The Town of Nasewaupée contains approximately 57.4 acres of surface water including several streams and small ponds, which together comprise approximately 0.2% of the town's total area. The town's northern boundary is 23.9 miles of shoreline. Map 5-4 illustrates the hydrographic features located within the town. The most notable surface water features in the town include Larson Creek, Lost Creek, Ahnapee River, Stoney Creek, Sawyer Harbor, Sand Bay, Riley's Bay, Green Bay, and Sturgeon Bay.

Bays and harbors are managed similar to inland lakes. Such areas offer protection from the pounding waves of Green Bay, and are also identified as important spawning areas. These waters may be affected by the increase in year-round use of housing along the shoreline which has placed demands on conventional septic systems that may cause the systems to fail or to be non-conforming.

Surface waters are important for recreation, as fisheries, as habitat for wildlife, and as a scenic resource. The Door County Shoreland Zoning Ordinance regulates use and development in all shoreland areas which include those areas within 300' of navigable streams and within 1,000' of lakes; the Green Bay shoreline is regulated like a lake whereby all development within 1,000' of the shoreline is regulated according to the county's shoreland zoning ordinance. Door County shoreland regulations are further described in the *Land Use Element*.

The following provides a brief description of the water quality concerns and details on the fisheries of some of the water features in the town. Sources of surface water data for the town include the *Surface Water Inventory of Door County* (Door County Soil and Water Conservation Department, 2000) and the *Twin-Door-Kewaunee River Basin Water Quality Management Plan* (WDNR, 1995).

## **Bays and Harbors**

### **Riley's Bay**

Riley's Bay is separated from Little Sturgeon Bay by Riley's Point to the west and is separated from Sand Bay by Sand Bay Point to the east. This bay provides habitat for various fish species and is a popular fishing spot. Adjacent wetlands are present, but to a lesser extent than in Little Sturgeon Bay to the west. Much of the southern shoreline is gravel beach with some bedrock. The western and eastern shoreline is developed, primarily with cottages, so riprap is often in place over the mixed sand and rubble gravel beaches. This area is heavily fished for walleye, yellow perch, smallmouth bass, northern pike, and muskellunge. The closest access point for the bay is on Riley's Point where a boat launch is located.

### **Sand Bay**

Sand Bay is the outlet for May Creek and Larson Creek. The shoreline, as the name implies, is primarily sand with a bottom type consisting of sand and mixed sand/gravel. Gravel beaches extend along the eastern shore. Wetlands occupy the areas where the streams converge with the bay. Sand Bay Point separates this bay from Riley's Bay. Development in the area consists of a mixture of cottages and homes. Snake Island is a small island located at the tip of the peninsula that makes up Sand Bay's west shore. In years of low water, the island connects with the mainland. The entire Snake Island peninsula is an area of developed wetland habitat that experiences fluctuating hydrology with water level changes. Smallmouth bass, yellow perch, and walleye are sport fish sought in this area.

### **Sawyer Harbor**

Sawyer Harbor has high recreational use with two access points on the north side and one from Potawatomi State Park on the south side. The bay opens to the east into Sturgeon Bay's outer bay/channel. The entire west shore is coastal wetland, but there is a transition to rubble and cobble along the north and south shores. Near the confluence with Sturgeon Bay, gravel beaches exist. Two small islands are located within the bay. The bay is rather shallow, but a small seasonal marina has moored power and sailboats. Considerable recreation occurs here as well because of the sheltered nature of the bay. Boating and water skiing are popular in the summer while fishing is popular all year round. Typically, northern pike are sought in the winter and small mouth bass in the summer, but good to fair fishing for other species (yellow perch, rock bass, brown trout) does exist. A unique species of panfish called the long-eared sunfish resides in this bay. The bay provides considerable spawning habitat for all these species. Most of the bottom type is sand or mixed sand/rock, and large areas of submerged aquatic weed beds are evident.



*Cabot's Point on Sawyer Harbor.*

## **River and Stream Corridors**

### **Larson Creek**

Larson Creek originates in Cunningham Swamp. An intermittent flow traverses four miles through pastures, feedlots, and Larson Swamp before discharging to Sand Bay. The stream is classified by the WDNR as a warm water forage fishery. Water quality in the stream is limited by minimal base flow, dense algae growth, sedimentation from cattle and upland erosion, and nutrient input from agricultural runoff. Walleye, northern pike, and white sucker are known to use the stream.

### **Lost Creek**

Lost Creek is a 2.5 mile intermittent stream which flows through the golf course in the town and ultimately discharges to Sawyer Harbor. The stream is classified as a limited forage fishery by the WDNR. It is likely that nutrients enter the creek through runoff as a result of the golf course. The creek has had walleye, northern pike, rainbow trout, and spring runs of white suckers. Silt has covered much of the streambed.

### **Stoney Creek**

Stoney Creek originates in Nasewaupée and flows south/southeast into Lake Michigan. Overall, the creek is roughly 14 miles in length and changes significantly between the upper and lower reaches. The lower 5 miles of Stoney Creek are classified as a Cold Water Class II fishery (needs some stocking to maintain). Here, the stream gradient is

higher, and large rocks provide numerous riffle areas. The slower moving upper reaches of the stream are classified as a Warm Water Forage Fishery where some portions have been ditched. The upper reaches of the stream meander slowly through extensive wetlands. Stoney Creek is included on the WDNR list of impaired waters (Clean Water Act 303(d) list). This list highlights those waters which deserve attention from the perspective of water quality improvement and protection. Stoney Creek is stocked annually with steelhead trout which make spawning runs upstream in spring.

## **5.10 Groundwater Quality**

Groundwater quality issues have a long history in Door County and the Town of Nasewaupee. For more than 30 years, parts of Nasewaupee have experienced wastewater problems including failing septic systems and threatened public and private water supplies which may have contributed to the greatly publicized beach closings in the summer of 2002 and 2003. The underlying reason for the wastewater problems is the geology of Door County - thin soils over fractured dolomite bedrock. Problems are most prevalent in more densely populated areas of the town, including the northern coastal area and directly west of the City of Sturgeon Bay.

Town, city, and county governments, as well as Nasewaupee residents, have addressed these wastewater problems in various ways. Door County hired an engineering firm to develop a comprehensive county sewer and water plan. At least three sanitary districts were formed by town residents, each hiring engineering firms to propose solutions to their specific problem (see Map 4-2, Location and History of Sanitary Districts). The City of Sturgeon Bay built a large capacity wastewater treatment facility anticipating future growth and annexed about 555 acres in response to town resident petitions. The town hired engineers to address a town-wide wastewater management program. The City of Sturgeon Bay, through its subsidiary Sturgeon Bay Utilities, and the Door County Soil & Water Department have developed a Wellhead Protection Plan to identify and protect the Zones of Contribution for city wells. Most recently, county departments have been monitoring polluted county beaches, which pose a threat to the county's valuable tourism industry. A detailed chronology of actions taken to address wastewater problems since 1972 can be found in the Intergovernmental Ad-hoc Committee Report dated February, 2003 developed as a part of this planning process. These issues continue to be of concern today, so more aggressive solutions need to be pursued.

Groundwater is the principal source of all water used for domestic, agricultural, commercial, and industrial purposes in Nasewaupee. Groundwater is a limited resource, and both the quantity and quality are important factors to consider in planning for the future. Precipitation, surface water, and snowmelt percolate through the soil and bedrock where they eventually reach a saturated zone known as an aquifer. This process is called groundwater recharge, and it is from these aquifers that wells draw their water.

Water in an aquifer travels from its source (the recharge area) to a discharge area such as a well, wetland, spring, lake, or other lowland area. During periods of increased precipitation or thaw, this vast resource is replenished with water moving by gravity through permeable soils which is

called a water table system. In some instances, groundwater moves because of pressure created by a confining layer of impervious rock which is called an artesian system. The water table system is the primary source of potable water in Door County. The rural population is generally more dependent on shallower and less-protected aquifers, than are urban populations which are served by public water supplies that typically access deep sandstone aquifers.

Contamination of groundwater almost always results directly from land uses. Almost anything which can be spilled or spread on the land has the potential to seep through the ground and enter the groundwater. The susceptibility of groundwater to contamination in an area is determined by the local soil and geologic characteristics.

The primary aquifer underlying Door County and the Town of Nasewaupee is the Silurian Dolomite aquifer. This aquifer has a well-developed network of horizontal and vertical crevices that serve as effective paths for the movement of groundwater. This network provides an ample quantity of groundwater, but the potential for groundwater pollution is high. Contamination sources such as septic tanks, barnyards, and agricultural fields have quick, direct routes for (polluted) surface water to enter the Dolomite aquifer through karst features such as sinkholes, swallets, and collapses. The thin soils of Door County also add to the high potential for groundwater contamination. Soils naturally help to purify the water that falls on land and infiltrates the groundwater. In areas where soils are very thin, the water moves through them so quickly that it has very little time to become purified, if at all. In areas of exposed bedrock, the potential for contamination is even greater.

Relatively little consistent information/data exists on the status of the groundwater in Door County, because of the high number of private wells. Most of the available groundwater information is based on historical events, limited times of monitoring, and professional judgement. Past evidence does exist on well contamination. Municipal wells for the City of Sturgeon Bay have had bacterial contamination in the past, and some current wells require ozone disinfecting treatment. Other wells in Door County have had a high incidence of bacteria, nitrate, and in some portions of the county, lead and arsenic. Data are readily available regarding failing private sanitary systems in the town which likely contribute to the contamination of groundwater resources. Door County Code 21.15, adopted in 1986, requires that existing private sanitary systems be evaluated when a property is transferred. Systems are evaluated against the criteria outlined in s. 145.245(4), Wisconsin Statutes. The statutes characterize failing private sanitary systems as those systems which cause or result in any of the following:

- ♦ The discharge of sewage into surface or groundwater.
- ♦ The introduction of sewage into zones of saturation which adversely affects the operation of a private sewage system.
- ♦ The discharge of sewage to a drain tile or into zones of bedrock.
- ♦ The discharge of sewage to the surface of the ground.

- ♦ The failure to accept sewage discharges and back up of sewage into the structure served by the private sewage system.

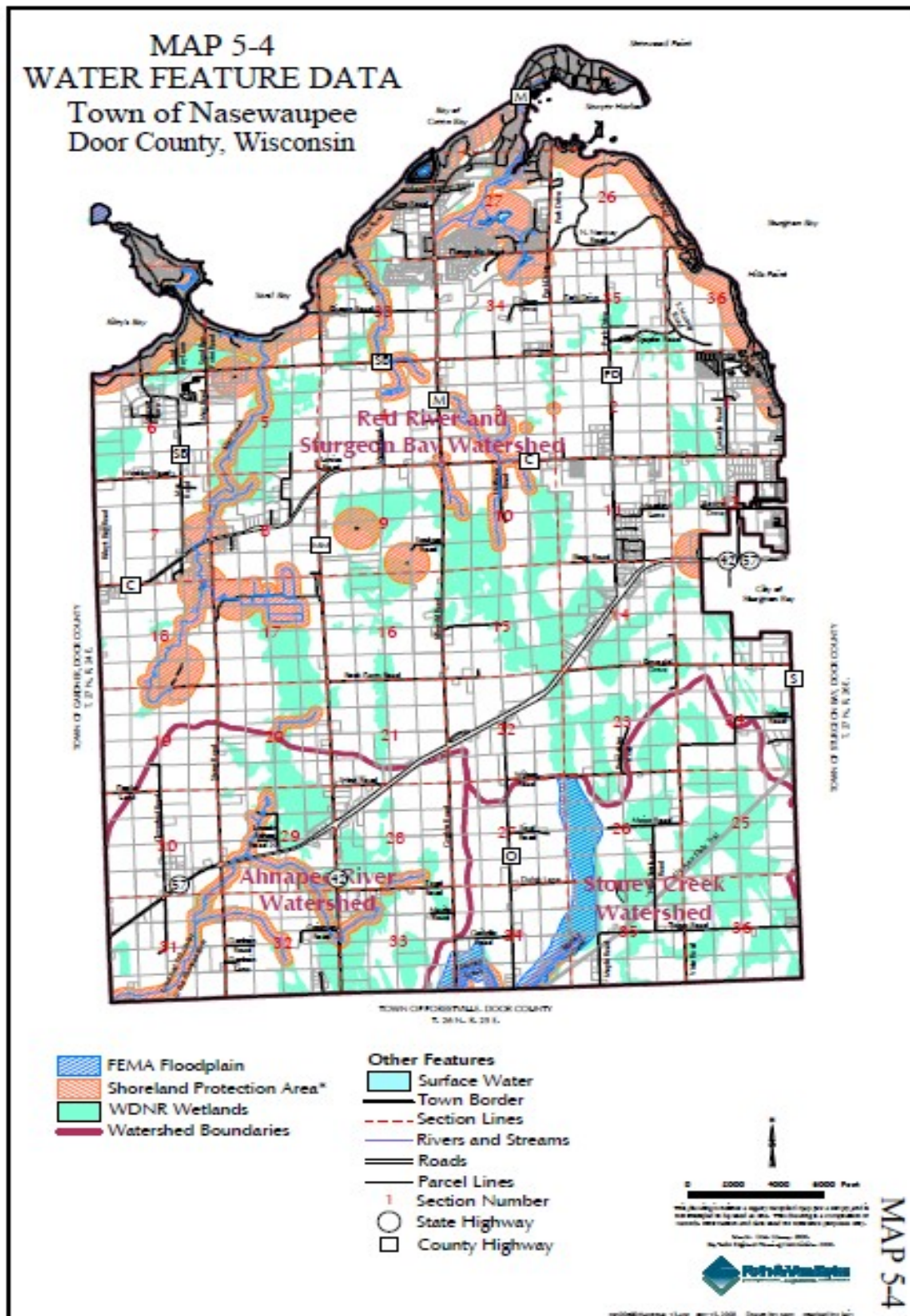
During the period from June, 1986 through July, 1998, 436 private sanitary systems in the Town of Nasewaupée were evaluated. Approximately 52% of all systems (225 systems) evaluated were deemed failing systems. Within the five Southern Door towns, a total of 1,451 private sanitary systems were evaluated during this same period, of which 55% (796 systems) were determined to be failing.

Most groundwater contamination is related to poorly sited land uses such as poorly designed manure storage facilities, petroleum storage, and salt storage in areas of fractured or exposed bedrock. Contamination of groundwater reserves can also result from such sources as percolation of water through improperly placed or maintained landfill sites, private waste disposal (septic effluent), runoff from livestock yards and urban areas, improper application of agricultural pesticide or fertilizers, excessive lawn and garden fertilizers and pesticides, leaks from sewer pipes, and seepage from mining operations into the aquifer. Runoff from leaking petroleum storage tanks and spills can also add organic and chemical contaminants in locations where the water table is near the surface. Once groundwater contamination has occurred, successful remediation can take years, or may never occur, depending upon the pollutant. Therefore, when considering specific land uses for an area, it is vital to consider the potential for contamination to help protect groundwater quality.

## **5.11 Air Quality**

In order to evaluate the quality of the air and to protect the public health, a series of National Ambient Air Quality Standards (NAAQS) have been developed by the U.S. Environmental Protection Agency (EPA) as established in section 109 of the Clean Air Act. According to the *Wisconsin 1997 Air Quality Report*, as prepared by the Wisconsin Department of Natural Resources, the air pollutants affecting Wisconsin include sulfur dioxide, suspended particulate matter, carbon monoxide, ozone, oxides of nitrogen, lead, sulfates, and nitrates. Door County is a non-attainment area based on the one-hour standard for ozone.

Map 5-4 Water Feature Data



## 5.12 Environmentally Sensitive Areas

Environmentally sensitive areas include those features of the landscape containing especially high value natural, scenic, scientific, and recreational features. In general, these include major stream valleys and lakes, woodlands, wetlands, wildlife habitats, undeveloped shorelands and floodplains, groundwater recharge and discharge areas, prairies, and steeply-sloped lands in the region. When environmental features form connected and contiguous areas of habitat, they may be considered as environmental corridors. Environmental corridors provide linkages between important resources and habitats which then become part of a larger functioning system. Some of the town's unique and sensitive environmental features are shown on Map 5-5.



*A wooded stretch of the escarpment in Nasewaupee.*

### The Niagara Escarpment

This unique geological feature has been recognized by the U.S. Environmental Protection Agency and by the Canadian government for the diverse ecosystems found in association with the escarpment. Portions of the escarpment in Canada have been extensively studied and protected against the impacts of development. Locally, the escarpment has been the focus of many plans and studies, but protective measures are uncoordinated. In Nasewaupee, portions of the escarpment are found within public parks.

The Wisconsin Department of Natural Resources *Wisconsin Land Legacy Report* (2002) identifies the Niagara Escarpment as a legacy place with a high conservation significance and substantial need for additional protection. This report states that:

This linear, high ridge provides many of the state's most spectacular views and is the logical means to link many existing protected areas on and near the Escarpment. Ellison Bluff, Red Banks Alvar, Carlsville Bluff, High Cliff State Park, and Horicon Ledge are some of the best-known places along the Escarpment. Given its length and proximity to the Fox River Valley cities, it is one of the most frequently visited features in the state and there is considerable interest in protecting additional areas to meet conservation and recreation needs.

Given the numerous rock outcrops, cliffs, and talus slopes, the Escarpment also harbors some very unusual habitats that in turn support many uncommon species. Pockets of ancient cedar trees, cold springs, and areas where cool air gently flows out of the rocky hillsides are scattered along the Escarpment. These fragile microhabitats support delicate ferns, flowers, and maybe most notably, a collection of extraordinarily rare snails.

### **5.13 Threatened and Endangered Species**

In addition to the common species within the area, special attention should be directed to those species which are of special concern, threatened, or endangered. The U.S. Fish & Wildlife Service and the WDNR identify and list threatened and endangered species at the federal and state levels, respectively. The WDNR also identifies species of special concern.

The U.S. Fish & Wildlife Service classifies a species (fish, wildlife, and plant) for protection as endangered when it is in danger of extinction within the foreseeable future throughout all or a significant portion of its range. Species are classified as threatened if they are likely to become endangered within the foreseeable future.

The WDNR's Bureau of Endangered Resources lists species as "endangered" when the continued existence of that species as a viable component of the state's wild animals or plants is determined to be in jeopardy on the basis of scientific evidence. "Threatened" species are listed when it appears likely based on scientific evidence that the species may become endangered within the foreseeable future. The WDNR also identifies species of "special concern" of which some problem of abundance or distribution is suspected but not yet proved. The intent of this classification is to focus attention on certain species before becoming endangered or threatened.

These species are closely watched and intensively managed in order to stabilize their populations. The goal is to keep species off the list by effectively monitoring and managing *all* wildlife populations.

The U.S. Fish & Wildlife Service indicated that four federally-listed threatened or endangered species occur in Door County, one of which is known to occur within Nasewaupée, the Dwarf Lake Iris. This species is found in several locations in the northern portion of the town, and finds its habitat in partially shaded, sandy-gravelly soils on lakeshores.

It is a policy of the WDNR Bureau of Endangered Resources that information pertaining to threatened, endangered, and special concern species be generalized in the development of a comprehensive plan and may not be released in any publicly disseminated documents as this information is sensitive. The following species have been identified by the WDNR as having been observed within the town on at least one occasion: a threatened plant in Section 2 of Township 27 North Range 25 East, and a special concern plant, a state threatened snail, a state endangered snail, and two state special concern snails in Section 26, a threatened plant in Sections 27 and 28, and an endangered plant in Section 36 of Township 28 North Range 25 East.

### **5.14 Wildlife Habitat and State Natural Areas**

The success of wildlife populations is heavily dependent on land use and land cover types. Regardless of whether a species flies, swims, or crawls, it must have a healthy habitat in order to thrive. Habitat is more than just the space an animal occupies. Within that space are food, water, and shelter arranged so that the animal can travel with minimal exposure to predators, foul

weather, and other dangers. Like a well-built home, a suitable habitat must serve all of these purposes throughout the year.

Currently, wildlife in the Town of Nasewaupée consists mainly of animals which are typically found in Door County and other northeast Wisconsin communities including whitetail deer, turkey, squirrel, fox, racoon, and rabbits. During the migration seasons, woodlands in the town act as stopover sites for a variety of migratory songbirds. Waterfowl is present due to the wetland base in the town and typically includes wood ducks, mallards, blue-winged teal, and sand hill cranes. Large birds such as raptors, great-horned owls, and screech owls are also present.

Loss of available habitat, its increasing fragmentation, and its continuing decline in total area all contribute to a change in species mix and number. Partnerships with landowners and public education regarding the impacts of land use decisions are extremely important to the overall health of wildlife. Loss of habitat is the primary reason for species to become listed as threatened, endangered, or of special concern. Ultimately, when a species' habitat is compromised, and a suitable arrangement of food, water, shelter, and space is disturbed, the animal must adapt, move on, or die. Habitat loss is in most cases the direct result of human population growth and settlement patterns.

Protection of wildlife habitat diversity, connections, and size should be an important consideration when planning future land use patterns in the town. Wildlife habitat provides significant ecological, scientific, aesthetic, economic, recreational, social, and intrinsic value.

In 1951, Wisconsin established the first state program in the U.S. directed towards preserving natural areas which is called the Wisconsin State Natural Areas Program. This program was established by early conservationists who recognized the importance of natural communities and the significant loss of these communities to intensive settlement. The remaining "natural areas" in Wisconsin which escaped development are sparse and scattered, and are often the last refuges for rare plants and animals.

State natural areas are formally designated sites which are devoted to scientific research, the teaching of conservation biology, and especially to the preservation of their natural values and genetic diversity for future generations. These areas are not intended for recreational uses such as picnicking or camping.

The State Natural Area's Program is administered by the Bureau of Endangered Resources (BER) within the Department of Natural Resources. Natural areas are identified and selected largely on the basis of the continuing Natural Heritage Inventory (NHI) which is maintained by the BER. The inventory maintains a comprehensive register of the state's natural features and rare species identified by ongoing biological inventories completed over the past 25 years. Sites identified as potential natural areas can be formally designated once secured by means of purchase or agreement. Designation entails that significant protection be guaranteed on the property by DNR rules, management plans, etc. in compliance with state statutes.

There are no designated State Natural Areas in the Town of Nasewaupee. However, as of September, 1997, 324 sites encompassing over 100,000 acres have been designated as state natural areas throughout Wisconsin, including eight on the Door County peninsula.

The town does, however, contain the Potawatomi State Park within its jurisdiction. In addition, although not formally designated as State Natural Areas, the town does contain several natural areas which are of ecological importance and are worthy of protection. These areas include, but are not limited to, the Hungry Settlement Swamp (Deadman's Bog), Cabot's Point Wetlands, the bluff overlooking CTH M, Cunningham Swamp, Idlewild peninsula woods and wetlands, the Niagara Escarpment, and Maplewood Swamp (see Map 5-5).

Both the 1999 Land Use Survey responses and the results of the year 2000 Issue Identification Workshop identify the importance of preserving natural areas in the town, as these areas are a main element of Nasewaupee's rural character and heritage. The town may want to work with the WDNR or a non-profit agency such as the Nature Conservancy or Door County Land Trust to identify important natural areas in the town that should be protected and managed, either by one of these agencies or by private landowners. In addition, the town can use its land use plan as a tool to prioritize a management strategy for the significant town natural areas, and to direct development away from these areas.

### **5.15 Historic and Cultural Resources**

The identification of existing historical structures and cultural areas is an important consideration in all town planning efforts as these features help to define a community's physical design and character. In addition, such sites may provide recreational opportunities and are of interest to many people who wish to track the historical and cultural evolution of the town. These sites are considered special resources which may be afforded local, state, and national protection.

The heritage of Southern Door County is largely the result of Belgian immigrants who came to the area in the mid-1800s. The architectural, religious, cultural, and social values of the Belgians are still present in the area today.

The Sherwood Point Lighthouse was added to the National Register of Historic Places on July 19, 1984. The front-gabled, brick lighthouse was constructed in 1883, and is located on Sherwood Point Road in a wooded area. The site is owned and operated by the U.S. Coast Guard.



*The Sherwood Point lighthouse.*

The Wisconsin Architecture & History Inventory (AHI), provided by the Wisconsin Historical Society lists historical and architectural information on properties in Wisconsin. The AHI contains data on buildings, structures and objects that illustrate Wisconsin's unique history. Unlike state and national Registers of Historic Places, properties listed on the AHI convey no special status, rights or benefits. This list may not be complete and may contain incorrect or outdated information, and the Town of Nasewaupee invites the readers of this plan to suggest any corrections or updates. The AHI lists historical structures within the Town of Nasewaupee, including the following:

- ♦ Side-gabled brick house located on the northwest side of CTH C opposite CTH MM.
- ♦ Front-gabled stone house located on the southwest corner of the intersection of CTH C and Idlewild Road.
- ♦ Gabled ell brick house located on the north side of Emerald Drive, just west of CTH S.
- ♦ Side-gabled stucco house located on the west side of Idlewild Road, .25 miles north of Rock Farm Road.
- ♦ Astylistic utilitarian log outbuilding located on the west side of CTH MM north of STH 57.
- ♦ Two-story brick cube house constructed in 1907, located on the east side of Riley's Bay Road (address: 2896).
- ♦ Side-gabled log house located on the south side of Rock Farm Road, east of CTH MM. This structure has since been torn down.
- ♦ Front-gabled clapboard outbuildings located on the east side of New Settlement Road, 0.5 miles south of Wilson Road. These buildings have since deteriorated severely.
- ♦ Side-gabled log garage located on the northwest corner of Town Park Road and Sand Bay Road.
- ♦ Two astylistic utilitarian storage buildings constructed in 1900, located in Potawatomi State Park.
- ♦ Hainesville School, front-gabled brick structure located on the east side of CTH M, 0.75 miles north of Sand Bay Road.

- ♦ Hainesville Lutheran Church, Queen Anne brick structure located on the east side of CTH M, 0.75 miles north of Sand Bay Road.
- ♦ Stokes School, front-gabled clapboard structure located on the north side of STH 42/57 at CTH O. This structure was demolished when STH 42/57 was expanded to 4 lanes.
- ♦ Front-gabled asphalt house located at the southeast corner of CTH O and STH 42/57. This structure was demolished when STH 42/57 was expanded to 4 lanes.
- ♦ L. Kempka, front-gabled, cream brick, one to six room school structure constructed in 1890, historic name: Lincoln School, located at the northeast corner of STH 57 and Lincoln School Road.
- ♦ Wilson School, front-gabled, brick, one to six room school structure constructed in 1896, historic name: District No. 3 School, located at CTH S and Wilson Road. This structure has since been demolished.
- ♦ Gabled ell brick house located just south of Wilson School at CTH S and Wilson Road.
- ♦ Stage Road Inn, front-gabled brick tavern/bar structure constructed in 1904, historic name: Tagge Tavern, located at CTH S and Tagge Road.
- ♦ Park Farm, Front-gabled house located just south of the Inn at CTH S and Mount Olive Road. This structure appears to have been demolished.
- ♦ Rustic Style board and batten camp structure constructed in 1900, located at Potawatomi State Park. This is currently used as the campground shelter.
- ♦ Rustic Style log camp structure constructed in 1931, located at Potawatomi State Park. This is currently used as the lookout tower.
- ♦ Eugene Remy gabled ell brick house constructed in 1910, located on STH 57 (address: 7751).
- ♦ Kenneth Guilette, vernacular log house constructed in 1880, located on STH 57 (address: 8097).
- ♦ Brick gabled ell house, constructed 1901, CTH C, south side, just east of Grondin Road.

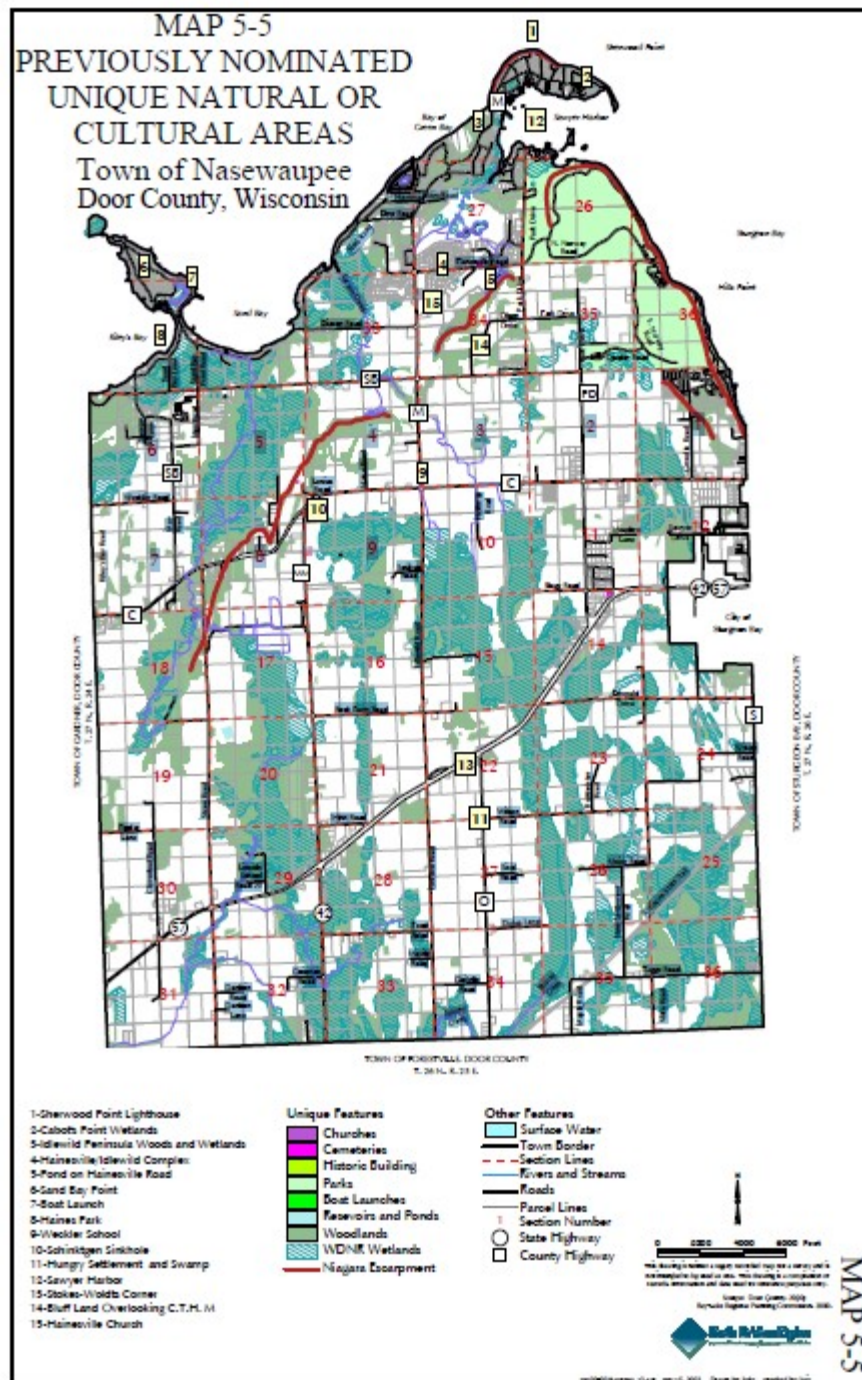
- ♦ Larry Smith & Diane Magolan Farm, stucco covered stone side gabled house, historic name Dora & Peter Tesar farm, located on Rock Farm Road (address: 7186).
- ♦ Gary Renard(Renard's Cheese), stucco covered masonry commercial vernacular cheese factory, constructed 1934, located on STH 57 (address: 8060).
- ♦ Sherwood Point Lighthouse, brick front gabled light house, construction date 1883, located on East Sherwood Point Road, also listed on State and National Register of Historic Places.

These records do not include archaeological sites which may be present within the town. The State Historical Society may be contacted for information pertaining to archaeological sites.

The community design of Nasewaupee is based on the existence of the above-mentioned sites, as well as on its abundance of natural features such as open space areas and environmental corridors. Map 5-5 illustrates the unique natural and cultural areas which were previously nominated by Nasewaupee residents as being important to the community's character and therefore should be afforded protection.

The historic/cultural resources and natural features which dot Nasewaupee's landscape are significant to the foundation of the community. As such, future development should be carefully planned near these sites in order to preserve the rural character and design of the community.

## Map 5-5 Previously Nominated Unique Natural or Cultural Areas



## **5.16 Agricultural, Natural, and Cultural Resources Goals and Objectives**

***Goal ANC-1: Provide incentives and options to landowners to retain the town's contiguous areas of agricultural lands, natural areas, and open spaces.***

### **Supporting Objectives**

1. Explore and develop local farmland preservation incentives and programs (e.g., transfer or purchase of development rights) which provide farmers options to realize some of the value of their property while continuing to farm, and which help them to maintain economic stability without having to sell their farmland, piece by piece.
2. Develop conservation design guidelines and principles (e.g., clustering of home sites) and promote their use.
3. Explore establishment of a development impacts mitigation program to obtain permanent preservation of town farm and natural areas through fees and/or land donations.
4. Seek opportunities to get existing conservation organizations more involved in land protection in Nasewaupée.
5. Support programs which lower tax burden for lands under agricultural production or conserved as natural areas.
6. Encourage and support estate planning for farmers to provide retirement income and reduce the necessity for a farmer to sell off lots for retirement income.

***Goal ANC-2: Maintain the operational efficiency and productivity of Nasewaupée's agricultural areas for current and future generations.***

### **Supporting Objectives**

1. Identify town lands where the primary intent is to preserve productive farmland, to allow for farming expansion, to maintain the efficiency and productivity of town farm operations, and to protect agricultural investment in land and improvements.
2. Protect the continuity of farmland areas.
3. Support the retention of farmland for agricultural or open space uses.
4. Appropriately site whatever development occurs in agricultural areas in order to ensure that growth in rural areas is compatible with the continued use of the adjacent land for agricultural production.

5. Inform current and prospective landowners about the types and timing of agricultural activities; importance of agriculture to the town economy; potential nuisances of living within an agricultural area; and actions that can be taken to minimize conflicts.

***Goal ANC-3: Maintain, preserve, and enhance the town's natural environment and open spaces.***

**Supporting Objectives**

1. Manage growth to protect town open spaces which, through their preservation, would: conserve and enhance natural or scenic resources, protect streams, water supply/quality, and fish and wildlife habitat, promote conservation of soils, wetlands, beaches, and woodlands, enhance the value of adjoining public lands, maintain and improve public and private recreation opportunities, and/or preserve historic and cultural resources.
2. Direct growth away from environmentally sensitive areas such as wetlands, floodplains, sinkholes, bedrock outcrops, steep slopes, etc., in order to protect the benefits and functions they provide and to save future public and private dollars spent on flood control, stormwater management, habitat restoration, erosion control, water quality improvements, and rescue services.
3. Allow areas for natural movement of water, as well as fish and wildlife.
4. Maintain and pursue opportunities to enhance and restore a network of natural area and open space corridors and connections.
5. Avoid or limit fragmentation and isolation of remaining town natural areas and corridors, especially woodland areas along Green Bay and stream shorelands.
6. Maintain and enhance plant and habitat diversity in Nasewaupee.
7. Maintain and enhance natural buffers along town shoreland and wetland areas to filter and remove pollutants prior to entry into surface waters, stabilize shorelines, maintain scenic quality, preserve important fish and wildlife habitat, and eliminate or reduce noise and glare intrusion.

***Goal ANC-4: Maintain, preserve, and enhance the town's rural atmosphere which contributes to the quality of life.***

**Supporting Objectives**

1. Encourage development which promotes open space through site design and which fits within the character of the town as well as the specific location in which the development is proposed.

2. Avoid uniform residential lot sizes over large areas which diminish rural character and are more characteristic of urban/suburban areas than rural areas.
3. Emphasize control of residential density and site design in rural areas rather than lot size alone.
4. Conserve open space lands not only for their economic importance, but also to retain a key measure of the town's "rural character" which is closely linked to the large tracts of undeveloped land within the town.
5. Identify and preserve those scenic views and vistas which characterize Nasewaupée.
  - a. Recognize the value of town shoreland areas and public resource lands, such as the Potawatomi State Park and the Ahnapee State Trail, to the community and region by promoting and protecting rural visual character to and from these important town features.
  - b. Conserve contiguous open spaces along the STH 42/57 which represents the primary travel corridor through the town used by town residents and visitors.
  - c. Protect scenic views and vistas to and from town ridge-tops, bluffs, and other areas of major topographic relief.
6. Work cooperatively with the City of Sturgeon Bay, Wisconsin Department of Transportation, and business owners to improve the appearance of the STH 42/57 corridor from School Lane to the City of Sturgeon Bay and other business locations.
7. Control the proliferation of pole/"tin" buildings.
8. Control the scale, design (e.g., lighting), and location of outdoor signage to fit within the character of the area.
9. Work with the Department of Transportation and County Highway Department to preserve aesthetic qualities and minimize disruption of natural, historic, and cultural features in highway development and expansion.
10. Adopt local controls to address junk yards; on-site storage and disposal of junk vehicles, white goods (e.g., refrigerators, washers/dryers, etc...), and other junk items; and dilapidated structures.
11. Ensure that future buildings are of the same physical scale as existing buildings in the surrounding area.
12. Develop design guidelines for businesses to better address landscaping, aesthetics, and other impacts (e.g., lighting, noise, parking, access, pedestrian access, etc.).

***Goal ANC-5: Preserve the significant historical and cultural lands, sites, and structures that contribute to community identity and character.***

### **Supporting Objectives**

1. Work cooperatively with Door County, local historical societies, and other appropriate organizations to identify, record, and protect lands, sites, rustic roads, and structures that have historical or archaeological significance within the Town of Nasewaupee.
2. Promote the history of Nasewaupee and the aspects that have helped to define its culture and heritage.
3. Encourage the adaptive re-use of historic structures and features in Nasewaupee and record their history.
4. Create incentives for developers to rehabilitate historic buildings.

## **5.17 Agricultural, Natural, and Cultural Resources Policies and Recommendations**

### **Policies**

Policies identify the way in which activities are conducted in order to fulfill the town's land use goals and objectives. Policies that direct action using the words "shall" or "will" are advised to be mandatory aspects of the implementation of the Town of Nasewaupee Comprehensive Plan. In contrast, those policies using the words "should" or "may" are advisory and intended to serve as a guide.

- ♦ Proposed developments within the RCC and NF land use management areas will be located and designed to minimize impacts to adjacent farming operations and to preserve the right to farm.
- ♦ Incentives may be considered by the town for developments that preserve working farmland.
- ♦ The conversion and fragmentation of designated environmental corridors and contiguous natural corridors within the NF land use management area by new development, roads, and utilities will be minimized.
- ♦ Proposed developments will incorporate isolated environmental resources into the development rather than harm or destroy them.

- ♦ All new development proposals should be evaluated based on potential impacts to environmental features and ecological health including:
  - Wetlands
  - Upland woodlands, forests, and wildlife habitat
  - Contiguous natural corridors
  - Threatened or endangered species and habitats
  - Groundwater
  - Surface water
  - Riparian buffers
  - Floodplains
  - Air quality
- ♦ Household hazardous waste collection will be performed at least once every five years.
- ♦ The town should maintain the ability to respond to a spill of contaminated or hazardous material.
- ♦ An inventory of historically significant and archeological sites will be maintained to ensure that they are accurately identified to promote and target preservation and rehabilitation efforts.
- ♦ All new development proposals should consider potential impacts to historical and archeological sites.
- ♦ Incentives may be considered by the town for developments that promote town culture by reusing or enhancing locally significant sites and structures.

## Recommendations

1. The town's policies for the protection of agricultural, natural, and cultural resources should be codified by ordinance and include provisions that allow consideration of mitigating potential negative impacts.
2. Create agricultural, natural, and cultural resource impact mitigation guidelines based on the objectives of the Land Use Management Areas established in the *Land Use* Element. Those features that define the character of a management area should not be compromised through overly permissive mitigation opportunities.
3. Identify extractable mineral resources and preserve these areas for such use.
4. The town should develop design standards for new development in the town that would result in a harmonious, complimentary environment of both "old" and "new" structures.

5. The town's implementation strategy should provide protection for unique wetland areas including ridge and swale complexes. Options for protection might include building setbacks, grading and excavating setbacks, and limits of disturbance.
6. Given the long standing wastewater problems experienced in the town, and the fact that evidence suggests that the current city wastewater treatment facility was sized for developed areas within the Town of Nasewaupee, town leaders should pursue negotiations with the City of Sturgeon Bay to provide public sewer service to developed areas within the town.

### **5.18 Recent Agricultural, Natural, and Cultural Resources Plans and Studies**

The following studies and plan documents are currently in effect and contain recommendations relevant to the Town of Nasewaupee. Many studies and plans have been produced regarding the natural, cultural, and historic resources of this region that should be taken into consideration when land use decisions are being made.

#### **City of Sturgeon Bay Wellhead Protection Plan. Sturgeon Bay Utilities and Door County Soil and Water Conservation (2003)**

This Wellhead Protection Plan was prepared by Sturgeon Bay Utilities and the Door County Soil and Water Conservation Department and adopted by the Door County Board on March 25, 2003. The plan cites a safe drinking water supply as the most significant natural resource concern facing Door County. The plan was developed with citizen input from the affected towns. The plan supplies background information on groundwater pollution, the sensitivity of the Door County aquifer, the city's municipal wells, and the methodology used to delineate the zones of contribution. Strategies identified for protecting the water supply include: public and governmental education programs; incentive based projects to encourage participation; sanitary surveys and remediation in the Wellhead Protection Areas; monitoring municipal and private wells; implementation of Door County Land & Water Resource Management Plan agricultural standards and prohibitions; construction plan reviews; contingencies; and administrative reviews.

#### **Door County Citizen's Guide to Small Wastewater Systems. Door County Environmental Council, Inc. (2003)**

Private onsite wastewater treatment systems (POWTS), more commonly known as septic systems and holding tanks, are an issue of concern in Door County due to the physical limitations of the landscape. POWTS depend on the capacity of the soil to receive and treat wastewater in order to prevent contamination of surface water and groundwater. Most of Door County is covered only by a thin layer of soil, so effective treatment of wastewater is challenging. This study contains valuable information on the environmental considerations of POWTS. Easy to understand explanations of wastewater treatment issues and alternative solutions are included.

### **Wisconsin Land Legacy Study. Wisconsin Department of Natural Resources (2002)**

The Department of Natural Resources conducted a study of places that will be important in meeting conservation and recreation needs for the next 50 years. This study identified the general locations of these areas, described the natural features, characteristics, and recreational opportunities that make them worthy of protection, and recommended priorities for preservation efforts. For further information on the study and to view a listing of places the staff have identified as being important in the future, visit the WDNR web-site.

### **An Inventory and Assessment of the Resources of the Niagara Escarpment in Wisconsin. Bay Lake Regional Planning Commission (2001)**

The Niagara Escarpment is a unique geological feature that spans a region from New York state to northern Illinois. Six Wisconsin counties, including Door County, were covered in this planning effort. Escarpment land forms traverse the west shore of the Door peninsula and are found in the Town of Nasewaupée. This plan inventories the natural features and resources associated with the escarpment. Existing programs and policies to protect these resources are analyzed, and recommendations for additional protection are made. A wealth of information and maps regarding the town's natural, cultural, and historic resources can be found in this document.

### **Lake Michigan Potential Damages Study: Progress Report on Activities - 1999. U.S. Army Corps of Engineers (2000)**

This study of damage caused by changing water levels and erosion on the Lake Michigan shoreline includes those communities located along Green Bay. Initiated in 1996, the project is currently working toward developing a model to predict changes in the shoreline over the next 50 years. Land use is an important element in the model, and it is anticipated that the final results will be used to make recommendations to the communities located on these shorelines.

### **Door County Land & Water Resource Management Plan. Door County Soil and Water Conservation Department (1999)**

Counties with departments of land and water conservation are required to adopt land and water resource management plans. This plan identifies natural resources issue throughout the county, establishes goals, and creates an implementation plan toward reaching those goals. Action items are divided into agricultural and non-agricultural issues. The susceptibility of the county's groundwater supply to contamination is emphasized throughout the plan.

### **Green Bay East Shore, Phase II: Cumulative and Secondary Impacts Study. Bay Lake Regional Planning Commission (1998)**

Three towns (Nasewaupée, Gardner, and part of Sevastopol) were included in this study of the impacts of the expansion of State Highway 57 from two lanes to four lanes. This coastal management plan anticipates that pressure for growth and development will follow the highway

expansion. Issues are identified, key natural resource features are identified, and environmental corridors are delineated. The plan makes recommendations for the three towns and the region for protection of wetlands, the Niagara Escarpment, historic and archaeological sites, and the shoreline of Green Bay. The plan also makes recommendations for additional planning and implementation efforts.

### **Nonpoint Source Control Plan for the Red River/Sturgeon Bay Watershed Project. Priority Watershed Program (1996)**

The Red River/Sturgeon Bay watershed occupies portions of Door, Brown, and Kewaunee Counties, including a portion of the Town of Nasewaupée. Priority Watersheds are established primarily to grant technical and financial assistance to farmers for the purpose of handling barnyard runoff and animal waste management. This plan inventories the natural resources of the watershed with an emphasis on surface and ground water. The impacts of nonpoint sources of pollution on the watershed are assessed including agricultural and urban runoff. Recommendations are made relative to dealing with potential pollution sources, along with an evaluation of the program's results.

## **5.19 Agricultural, Natural, and Cultural Resources Programs**

The following agricultural, natural, and cultural resource programs are available to the Town of Nasewaupée. The use and implementation of these programs have the potential to further the goals, objectives, and policies found within this element. The following list is not all-inclusive, and for up to date information on the program, contact the agency or individual providing the program.

### **Agricultural and Natural Resource Programs**

#### **Non-Point Pollution Abatement Program**

Funds are available to improve water quality by limiting or ending sources of nonpoint source (run-off) water pollution by providing financial and technical assistance to landowners, land operators, municipalities, and other governmental units. Governmental units within designated priority watersheds and priority lakes are eligible to apply. Eligible projects are watersheds and lakes where: 1) the water quality improvement or protection will be great in relation to funds expended; 2) the installation of best management practices is feasible to abate water pollution caused by nonpoint source pollution; and 3) the local governmental units and agencies involved are willing to carry out program responsibilities. Efforts are focused statewide in critical watersheds and lakes where nonpoint source related water quality problems are most severe and control is most feasible. Rural landowners and land operators located in selected priority watersheds and priority lakes can contact their county land conservation departments to explain the program and have the landowner/land operator sign for cost sharing best management practices. Non-rural landowners and land operators can contact their municipal government offices. A watershed or lake project normally has a 10-12 year

time frame: two years for planning and eight to ten years to implement best management practices. Contact the WDNR Regional Environmental Grant Specialist for further information.

### **Stewardship Grants for Nonprofit Conservation Organizations**

Funds are available for the acquisition of land or easements for conservation purposes and restoration of wildlife habitat. Nonprofit conservation organizations are eligible to apply. Priorities include acquisition of wildlife habitat, acquisition of lands with special scientific or ecological value, rare and endangered habitats and species, acquisition of stream corridors, acquisition of land for state trails including the Ice Age Trail and North Country Trail, and restoration of wetlands and grasslands. Eligible types of projects include fee simple and easement acquisitions and habitat restoration projects. Contact the WDNR for further information.

### **Environmental Quality Incentives Program (EQIP)**

The purpose of EQIP is to provide technical and financial help to landowners for conservation practices that protect soil and water quality. Nutrient management and prescribed grazing are eligible for cost-sharing statewide. Assistance for other practices is available in selected priority areas. Approved projects are based on environmental value. Five to ten year contracts are used. Agricultural producers may be eligible for up to 75% cost share (up to \$10,000 per year, and up to \$50,000 lifetime) on agricultural land. Public access is not required. Contact: USDA Natural Resources Conservation Service or Farm Service Agency, or County Land Conservation Department.

### **Wetlands Reserve Program (WRP)**

The purpose of WRP is to restore wetlands previously altered for agricultural use. The main goal is wetland restoration and wildlife habitat establishment. Land which has been owned for one year and can be restored to wetland conditions is eligible. Landowners may restore wetlands with permanent or 30-year easements or 10-year contracts. Permanent easements pay 100% of the agricultural value of the land and 100% cost-sharing; 30-year easements pay 75% of the agricultural value and 75% cost sharing; 10-year contract pays 75% cost share only. Permanent or 30-year easements are recorded with a property deed. A ten year contract is not recorded with deed. Public access is not required. Contact: USDA Natural Resources Conservation Service.

### **Partners for Fish and Wildlife**

The purpose of Partners for Fish and Wildlife is restoration of wetlands, grasslands, and threatened and endangered species habitats. Up to 100% cost-share may be provided to restore wildlife habitat on private lands. Eligible projects include lands that can be restored to wetland conditions, lands that can be restored to grasslands, and lands that can

be restored to provide habitat for threatened and endangered species. A contract of 10 years is required. Public access is not required. Contact: USDA, Fish and Wildlife Service.

### **Wisconsin Farmland Preservation Program**

The purpose of the Wisconsin Farmland Preservation Program is to help preserve farmland through local planning and zoning, to promote soil and water conservation, and to provide tax relief to participating farmers. Farmers qualify if their land is zoned for exclusive agriculture, or if they sign an agreement to use their land exclusively for agricultural purposes. Landowner must own 35 acres or more, and produce gross farm profits of \$6,000 in the previous year. Public access is not required. Contact: County Land Conservation Department, WI Department of Agriculture or County Zoning office.

### **USDA Farmland Protection Program**

The purpose of the USDA Farmland Protection Program is to maintain prime farmland in agricultural uses through agricultural conservation easements. This program provides funding for state, tribal, or local governments to purchase development rights on prime agricultural land. Eligible lands must be part of a pending easement offer from a local, state, or tribal program, have a conservation plan, and meet other criteria on size and location to support long-term agricultural production. Public access is not required. Contact: USDA Natural Resources Conservation Service.

### **Managed Forest Law (MFL)**

The purpose of MFL is to promote good forest management through property tax incentives. An approved forest management plan is required. Eligible lands must be a minimum of 10 contiguous acres and at least 80% must be capable of producing merchantable timber. Contracts of 25 or 50 years are used, and enrollment is transferable to a new owner for small fee. Open lands must allow hunting, fishing, hiking, cross-country skiing, and sight-seeing. Up to 80 acres may be closed to public access by the landowner. A 5% yield tax is applied to any wood products harvested. Contact: WDNR.

### **Conservation Reserve Program (CRP)**

The purpose of CRP is to reduce erosion, increase wildlife habitat, improve water quality, and increase forest land. Landowners remove environmentally sensitive crop lands from agricultural production and receive annual rent payments. Alternative uses for these lands include tree planting, grass cover, small wetland restoration, prairie and oak savannah restoration, and others. Eligibility varies by soil type and crop history. Continuous sign up open for buffers, waterways, and environmental practices. Periodic sign ups are announced throughout the year for other practices. Year year or 15 year contracts are used if hardwood tree planting is the alternative use. The contracts are

transferable to new owners. Public access is not required. Contact: USDA Natural Resources Conservation Service or Farm Service Agency, or County Land Conservation Department.

### **Wildlife Habitat Incentives Program (WHIP)**

The purpose of WHIP is to develop or improve fish and wildlife habitat on privately owned land. Improvement practices include seeding, fencing, in-stream structures, etc. Almost any type of land is eligible, including agricultural and non-agricultural land, woodlots, pastures, and streambanks. Ten year contracts are normally used to maintain habitat improvements. Up to 75% of restoration costs (to a maximum of \$10,000) are eligible for cost-sharing. Other organizations may provide the remaining 25% cost share. Public access not required. Contact: USDA Natural Resources Conservation Service.

### **Wisconsin Coastal Management Program (WCMP)**

The goal of the Wisconsin Coastal Management Program is to protect, restore, and enhance coastal resources. The administering agency is the Division of Energy and Intergovernmental Relations. Grant and technical assistance are available through the program for those who qualify. The following types of grants are available: wetlands protection and habitat restoration, nonpoint source pollution control, coastal resource and community planning, public access and historic preservation, and Great Lakes education. Local units of governments in the 15 coastal counties, state agencies, tribal governments, regional planning commissions, universities, colleges, technical schools, and non-profit organizations are all eligible for grant assistance.

## **Cultural Resource Programs**

### **Wisconsin Historical Society, Office of Preservation Planning (OPP)**

Whether you need information concerning state or federal laws and regulations that may be applicable in your case, whether you need information on grassroots strategies for preserving and protecting historic properties, or whether you need information on how you may protect and preserve your own historic property, the OPP can assist.

### **Wisconsin's Historical Markers Program**

For almost fifty years, Wisconsin's State Historical Markers program has been interpreting both important small incidents and monumental events that form the state's past. Placed on the very site where significant events occurred, markers evoke an immediacy of the past that no history book can provide. The Society's Division of Historic Preservation administers the Wisconsin Historical Markers Program.

Applications are required for all official State of Wisconsin historical markers and plaques. Applications are available at [www.wisconsinhistory.org/histbuild/markers/apply](http://www.wisconsinhistory.org/histbuild/markers/apply).

### **Jeffris Family Foundation**

Founded in Janesville, Wisconsin in 1979, the Jeffris Family Foundation is dedicated to Midwestern cultural history and heritage through preserving regionally and nationally significant historic buildings and decorative arts projects. Because of its focus on preservation, the Jeffris Family Foundation provides challenge grants for preliminary studies, full restorations, and follow-up projects such as publications. The Foundation funds private nonprofit organizations and governments. Support from the Foundation typically ranges from 25% to 50% of the total project cost with a significant portion of the matching funds originating from the community. The primary focus is on projects in communities under 100,000 population. For additional information and a grant application, contact the Jeffris Family Foundation, P.O. Box 650, Janesville, Wisconsin 53547-0650.

### **National Trust for Historic Preservation, Preservation Services Fund**

Grants from this fund are designed to encourage preservation at the local level by providing seed money for preservation projects. These grants help stimulate public discussion, enable local groups to gain the technical expertise needed for particular projects, and encourage financial participation by the private sector. PSF award applicants must be a non-profit organization or public agency capable of matching the grant amount dollar-for-dollar. The grant range is from \$500 to \$5,000.

### **Wisconsin Humanities Council, Historic Preservation Program Grants**

The Wisconsin Humanities Council and the Jeffris Family Foundation have formed a partnership pool to support Historic Preservation Program Grants. This Wisconsin Humanities Council (WHC) will award grants with funds from both groups. The WHC accepts proposals for projects that enhance appreciation of the importance of particular historic buildings or that increase public awareness of the importance of particular buildings or decorative art works in Wisconsin. Preference will be given to small town and rural communities with populations under 30,000. For more information contact the WHC, 222 South Bedford Street, Suite F, Madison, WI 53703-3688.

### **Wisconsin Coastal Management Grant Program, for Public Access and Historic Preservation**

The WCMP grant program may fund low-cost construction projects such as parks, recreation trails, walkways, piers, viewing decks, fishing piers, removal of pilings,

historic building restorations and rehabilitations, and other public access facilities. All public access and historic preservation projects must have a direct relationship to the Great Lakes. For more information on this program for historic preservation contact the Wisconsin Coastal Management Program.

### **Wisconsin Historical Preservation Tax Credits**

One of the benefits of owning a historic property in Wisconsin is the ability to participate in federal and state income tax incentives programs for rehabilitation of historic properties. There are currently three programs available to owners of properties that are either listed in, or determined to be eligible for listing in, the state or national registers of historic places. The three programs are:

1. Federal 20% Historic Rehabilitation Credit
2. Wisconsin 5% Supplement to Federal Historic Rehabilitation Credit
3. Wisconsin 25% Historic Rehabilitation Credit

The State Historical Society of Wisconsin, Division of Historic Preservation should be contacted for further information

## 6 Economic Development

This element contains an inventory and analysis of the economic characteristics of the Town of Nasewaupée. It is intended that this element of the comprehensive plan help identify deficiencies and opportunities related to the economic base as well as promote the stabilization, retention, and expansion of quality employment opportunities. These considerations impact the ability of the Town of Nasewaupée to provide for a sustainable economic future.

This element of the comprehensive plan includes information, analysis, and assessments regarding the following: labor force, unemployment rates, educational attainment, income characteristics, poverty level, travel time to work, commuting patterns, employment forecasts, employment by industry and occupation, agriculture analysis, wages, economic base analysis, evaluation of environmentally contaminated sites for commercial or industrial use, desired economic development, strengths and weaknesses analysis, and a list of economic programs available to the community.

The major components of the local economy within the Town of Nasewaupée include tourism, agriculture, home businesses, and the variety of businesses found along and near the STH 42/57 corridor. Despite increasingly difficult economic conditions, agriculture and tourism continue to be significant in the town. When the expansion of the Highway 42/57 corridor from two lane to four lane status occurred in the Town of Nasewaupée, it created opportunity for many adjacent landowners relative to commercial and industrial development. Ample vacant land adjacent the corridor that offered high traffic visibility spawned an increase in commercial development activity. However, the lack of planning review has created a potpourri of uses within the corridor with existing and/or future compatibility issues. Home based businesses are also significant in the town and are not confined to the highway corridor.



*Existing commercial highway corridor development.*

It is important to note that data used in the economic development analysis come from various sources, and discrepancies between certain data will be apparent. For example, categories of employment may sound similar between the U.S. Bureau of the Census, the U.S. Department of Commerce, and the Wisconsin Department of Workforce Development, but the jobs included in each category differ slightly. The purpose of these data is to illustrate the general economic situation in the town and to provide enough information to make some basic forecasts of economic trends and future opportunities. No discrepancies found in the following economic data are significant enough to seriously undermine the presented analysis.

Another potential weakness in the data is that no locally applicable economic analyses have been conducted since the nation-wide economic downturn that began in 2000 and 2001 continuing to the present. According to local sources, Door County has lost approximately 600 jobs thus far due to the loss of major employers. The long range impacts of these changes are unknown at this point, so the following discussion may need modification as new data become available.

## 6.1 Labor Force and Employment Status

The civilian labor force consists of individuals age 16 and over who are currently employed or seeking employment, excluding persons in the armed forces. Shifts in the age and gender characteristics of the residents, seasonal changes, and employment opportunities can all cause fluctuation in the number of persons in the labor force. Labor force data are often referred to as “place of residence” data, or employment data. The labor force cannot be equated with the number of employment opportunities, or jobs, in the town because some of the resident labor force is employed at jobs outside of the town, some have jobs at two or more places, others are unemployed but seeking employment, and some jobs in the town may be held by non-residents. Table 6-1 identifies the employment status of both males and females over the age of 16 within the town.

**Table 6-1  
Employment Status  
Town of Nasewaupee  
1990-2000**

	1990			2000		
Employment Status	Males	Females	Total	Males	Females	Total
In Labor Force	<b>514</b>	<b>406</b>	<b>920</b>	<b>568</b>	<b>489</b>	<b>1,057</b>
Armed Forces	2	0	2	0	0	0
Civilian	512	406	918	568	489	1,057
Employed	479	381	860	543	473	1,016
Unemployed	33	25	58	25	16	41
Not in Labor Force	<b>172</b>	<b>278</b>	<b>450</b>	<b>203</b>	<b>245</b>	<b>448</b>
<b>Total</b>	<b>686</b>	<b>684</b>	<b>1,370</b>	<b>771</b>	<b>734</b>	<b>1,505</b>

Source: 1990 Census of Population and Housing. U.S. Bureau of the Census, 2000. Based on sample data.

Participation by Nasewaupee residents in the civilian labor force rose from 67.2% in 1990 to 70.2% in 2000. Unemployment of labor force participants decreased from approximately 6% in 1990 to 3.9% in 2000. Within the ten year period, female participation in the workforce

increased from 59% in 1990 to 66% in 2000 while male participation in the labor force remained virtually the same.

### **Educational Attainment**

The educational attainment level of persons within a community is often a indicator of the overall income, job availability, and well-being of a community. Approximately 86% of persons age 25 and older in Nasewaupée have attained a high school diploma or some post secondary education (Table 6-2).

**Table 6-2**  
**Educational Attainment of Persons Age 25 and Over**  
**Town of Nasewaupée**  
**2000**

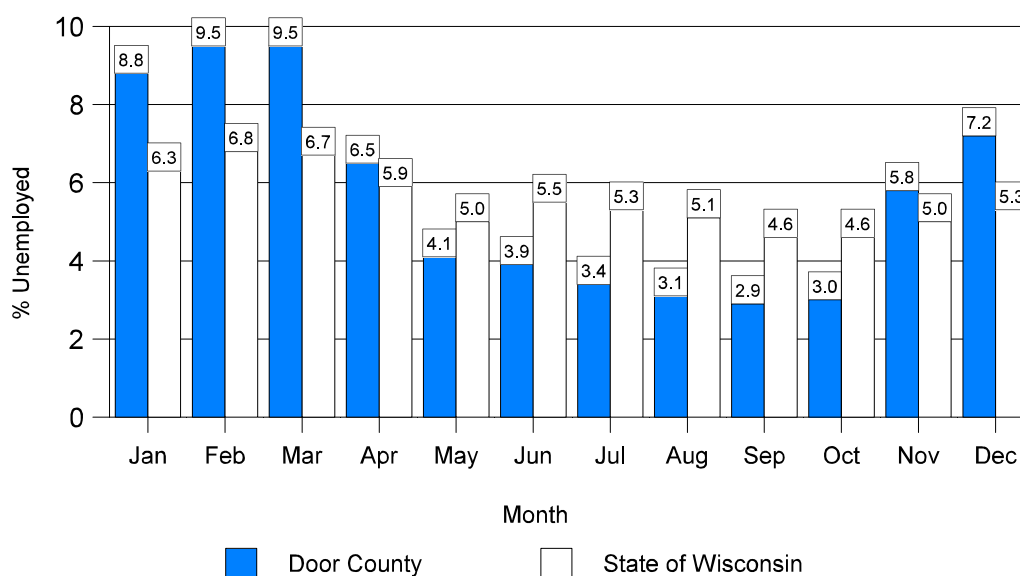
Attainment Level	Number	% of Total
Less than 9 <sup>th</sup> grade	67	5.0%
9 <sup>th</sup> to 12 <sup>th</sup> grade, no diploma	118	8.9%
High school graduate, includes equivalency	569	42.7%
Some college, no degree	278	20.9%
Associate degree	75	5.6%
Bachelor's degree	154	11.6%
Graduate or professional degree	71	5.3%
<b>Total persons 25 years &amp; over</b>	<b>1,332</b>	<b>100.0%</b>

Source: U.S. Bureau of the Census, 2000.

## Unemployment Rate

The unemployment rate is an indication of the relative health and stability of the economy. The Door County economy fluctuates greatly throughout the year depending upon the season and the state of the tourism industry. The southern Door County economy may not be as seasonal as northern Door County, however many residents in the town commute to these areas for work or extra seasonal income. Figure 6-1 compares the unemployment rates of Door County and the State of Wisconsin throughout 2002 on a month by month basis.

**Figure 6-1**  
**Unemployment Rate Comparison**  
**Door County and Wisconsin**  
**2002**



Source: Wisconsin Department of Workforce Development, Local Area Unemployment Statistics, 2002.

Door County unemployment rates during the summer and fall months are considerably lower than in the winter months. The seasonal economy has many implications including a seasonal housing stock, difficulty finding adequate and sufficient labor to meet demand, income fluctuations for individuals, as well as many other implications. Over-dependence on seasonal factors is a threat to the overall stability of the economy, therefore providing year round and sustainable industries to residents in the town and the county will increase long-term economic stability and increase the overall quality of life for the area.

## Income Characteristics

Income characteristics of a community provide an indicator of the strength of the local economy and employment wages. Table 6-3 displays the income characteristics of the Town of Nasewaupsee and Door County according to the 2000 Census.

**Table 6-3**  
**Household Income**  
**Town of Nasewaupsee and Door County**  
**2000**

Household Income	Town of Nasewaupsee		Door County	
	Number	% of Total	Number	% of Total
Less than \$10,000	32	4.2%	824	7.0%
\$10,000 to \$14,999	42	5.5%	847	7.2%
\$15,000 to \$24,999	126	16.6%	1,857	15.7%
\$25,000 to \$34,999	103	13.6%	1,717	14.5%
\$35,000 to \$49,999	126	16.6%	2,208	18.7%
\$50,000 to \$74,999	203	26.7%	2,482	21.0%
\$75,000 to \$99,999	69	9.1%	855	7.2%
\$100,000 to \$149,999	48	6.3%	741	6.3%
\$150,000 to \$199,999	0	0.0%	122	1.0%
\$200,000 or more	10	1.3%	158	1.3%
<b>Total</b>	<b>759</b>	<b>100.0%</b>	<b>11,811</b>	<b>100.0%</b>
Median household income	\$43,292		\$38,812	

Source: U.S. Bureau of the Census, 2000. Figures based on household income in 1999.

The largest segment of households, 26.7%, in the Town of Nasewaupsee had a household income between \$50,000 and \$74,999 in 2000. The median household income of the town in 2000, \$43,292, was slightly higher than the county median of \$38,812.

## Poverty Level

The U.S. Census Bureau uses a set of money income thresholds that vary by family size and composition to determine if someone is at or below the poverty level. If a family's total income

is less than the family's threshold, then that family, and every individual in it, is considered below poverty. According to 2000 poverty thresholds, the one person threshold is \$8,794; for a two person family unit the threshold is \$11,239; for a four person family unit with two children under 18 years of age the threshold is \$17,463. According to the 1990 census, approximately 13% of Nasewaupée residents for whom poverty status has been determined had a 1989 income below the poverty level.

### **Travel Time to Work**

For most of the general population, the location of their home is dependent upon the location of their work. Knowing the amount of time people are willing to travel to work can serve as an indicator for the future location of housing and economic development.

Table 6-4 displays the travel time to work for the Town of Nasewaupée in 2000. A majority of people (45.8%) had a 10 to 19 minute trip to work in 2000. Road improvements are often connected to increased travel time as well. As the quality of roads and highways continues to improve with investments in repairs and upgrades, more people are likely to feel comfortable traveling to distant destinations for additional employment opportunities. This will likely be a factor that contributes to commuting in Nasewaupée as the expansion of STH 57 to four lanes is completed.

**Table 6-4**  
**Travel Time to Work of Workers 16 Years and Over**  
**Town of Nasewaupée**  
**2000**

Travel Time	Number	% of Total
Less than 10 minutes	183	18.4%
10 to 19 minutes	455	45.8%
20 to 29 minutes	104	10.5%
30 to 39 minutes	44	4.4%
40 to 59 minutes	69	6.9%
60 or more minutes	73	7.3%
Worked at home	66	6.6%
<b>Total</b>	<b>994</b>	<b>100.0%</b>

Source: U.S. Bureau of the Census, 2000.

## 6.2 Economic Base Analysis

### Employment by Industrial Sector

Employment by industry within an area illustrates the structure of the economy. Historically, the state of Wisconsin has had a high concentration of employment by the manufacturing and agricultural sectors of the economy. Recent trends indicate a decreasing concentration of employment in the manufacturing sector while employment in the service industry is increasing.

The economic division within the town with the greatest percentage of total employment was the manufacturing industry, a trend found in most areas of Wisconsin. The employment distribution found in the town is very similar to the county as a whole. The most notable difference is the town's higher percentage of employment in manufacturing and lower percentage of employment within retail trade.



*Agriculture is a small but important part of the local economy.*

Table 6-5 displays employment by industry for the Town of Nasewaupee and Door County according to the 2000 Census.

**Table 6-5**  
**Employment by Industry**  
**Town of Nasewaupée and Door County**  
**2000**

Economic Division	Town of Nasewaupée		Door County	
	Number	% of Total	Number	% of Total
Agriculture, forestry, fishing and hunting, and mining	36	3.5%	625	4.5%
Construction	92	9.1%	1,392	10.0%
Manufacturing	255	25.1%	2,607	18.8%
Wholesale trade	23	2.3%	200	1.4%
Retail trade	96	9.4%	1,881	13.5%
Transportation and warehousing, and utilities	36	3.5%	388	2.8%
Information	15	1.5%	198	1.4%
Finance, insurance, real estate, and rental and leasing	41	4.0%	717	5.2%
Professional, scientific, management, administrative, and waste management services	63	6.2%	865	6.2%
Educational, health, and social services	159	15.7%	2,096	15.1%
Arts, entertainment, recreation, accommodation and food services	117	11.5%	1,919	13.8%
Other services (except public administration)	57	5.6%	572	4.1%
Public administration	26	2.6%	441	3.2%
<b>Total</b>	<b>1,016</b>	<b>100.0%</b>	<b>13,901</b>	<b>100.0%</b>

Source: U.S. Bureau of the Census, 2000.

### **Commuting Patterns**

Retaining the workforce in the county or the town is an increasingly important factor when trying to retain or attract business to the area. Reducing workforce leakage to other areas indicates that the economy offers enough quality employment opportunities and a range of housing choices and prices, so that people are not required to travel to other areas. It is likely that more commuters travel through the Town of Nasewaupée than travel to the town as a destination for employment, due primarily to its location between northern Door County and the Green Bay area.

**Table 6-6  
Commuting Patterns  
Door County  
2000**

	Live in Door County and Commute to	Commute to Door County From	Net Commute
Brown Co.	728	294	-434
Dane Co.	15	21	6
Kewaunee Co.	430	548	118
Manitowoc Co.	38	17	-21
Milwaukee Co.	31	24	-7
Outagamie Co.	43	21	-22
Oconto Co.	17	12	-5
Sheboygan Co.	15	0	-15
Waupaca Co.	0	10	10
Winnebago Co.	0	14	14
Cook Co., IL	42	0	-42
DuPage Co., IL	0	18	18
Kankakee Co., IL	10	0	-10
Lake Co., IL	11	0	-11
St. Louis Co., MO	21	0	-21
Elsewhere	155	43	-112
<b>Total</b>	<b>1,556</b>	<b>1,022</b>	<b>-534</b>
Work within Door County	12,058	12,058	0

Source: U.S. Bureau of the Census, 2000.

The largest number of those who work outside of the county commute to Brown County. There was an overall net loss of 534 commuters in 2000.

## Employment by Occupation

Table 6-7 displays the employment by occupation for the Town of Nasewaupee and Door County in 2000. Management, professional, and related occupations had the greatest percentage of employment for the town and the county. The second greatest occupation for the town was in production, transportation, and material moving occupations.

**Table 6-7**  
**Employment by Occupation**  
**Town of Nasewaupee and Door County**  
**2000**

Occupation	Town of Nasewaupee		Door County	
	Number	% of Total	Number	% of Total
Management, professional, and related occupations	263	25.9%	3,828	27.5%
Service occupations	178	17.5%	2,172	15.6%
Sales and office occupations	197	19.4%	3,285	23.6%
Farming, forestry, and fishing occupations	9	0.9%	267	1.9%
Construction, extraction, and maintenance occupations	128	12.6%	1,847	13.3%
Production, transportation, and material moving occupation	241	23.7%	2,502	18.0%
<b>Total</b>	<b>1,016</b>	<b>100.0%</b>	<b>13,901</b>	<b>100.0%</b>

Source: U.S. Bureau of the Census, 2000.

## Agriculture Analysis

Southern Door County, including the Town of Nasewaupee, has a large amount of land dedicated to agriculture. Agriculture is a strong component of the local town economy and one of the preferred industries for the future. It will become increasingly important to protect the economic benefits these lands offer. According to the 1997 Census of Agriculture, the amount of land in farms decreased 6% in Door County from 1992 to 1997. For the same period, the average size of farms increased 2% and the number of full-time farms decreased 16%. Refer to the *Land Use* Element as well as the *Agricultural, Natural, and Cultural Resources* Element for further information on agricultural land within the town.

## Wages

The average wage for all industries in Door County was 70.8% of Wisconsin's average wage. Average annual wages between the State of Wisconsin and Door County vary for several reasons. One is that the state average is heavily influenced by larger urban areas such as Milwaukee and Green Bay. Also, some of the difference is due to the seasonal based economy in Door County which provides employment for only part of the year, thus pulling down the average wages in those industries.

**Table 6-8**  
**Annual Average Wage**  
**Door County and Wisconsin**  
**2002**

Employment Sector	Door County	Wisconsin	% of State Average
All industries	\$21,904	\$30,992	70.8%
Agriculture, forestry, and fishing	\$18,965	\$22,565	84.0%
Construction	\$31,648	\$39,011	81.1%
Manufacturing	\$30,579	\$39,739	77.0%
Transportation, communications, and utilities	\$26,062	\$36,639	71.1%
Wholesale trade	\$26,316	\$40,521	64.9%
Retail trade	\$14,015	\$14,596	96.0%
Finance, insurance, and real estate	\$22,453	\$40,933	54.9%
Services	\$19,116	\$28,775	66.4%
Total government*	\$27,040	\$33,785	80.0%

Source: Wisconsin Department of Workforce Development, Bureau of Workforce Information, *Employment, Wages and Taxes Due covered by Wisconsin's U.C. Law*.

\*Includes state, county, and local government employment.

## Tourism

Tourism is the state's second largest industry and Door County has significantly contributed to the strength of this industry for many years. While the Town of Nasewaupée is not as tourism dependent as some of the more northern areas of Door County, the town is significantly impacted by the seasonal nature of the county economy. Nasewaupée is home to a state park, two private campgrounds, a golf course, and several other private and public recreational facilities discussed

in detail in the *Utilities and Community Facilities* Element. According to the Wisconsin Department of Tourism, 2001 tourism expenditures in Door County were approximately \$467 million. Door County ranked fifth in the state in tourism expenditures in 2001. As long as Door County continues to attract tourists and seasonal residents, many of the businesses and industries in the county will continue to focus on their needs and desires. For the Town of Nasewaupee, and many other areas of the county, it will become increasingly important to attract business and industry that operates year round without seasonal labor decreases to ensure that full-time residents can remain in the area.

### **Location Quotient Economic Base Analysis**

Planning for the future of Nasewaupee requires an understanding of the local and county economies. The Economic Base Analysis technique divides the economy into basic and non-basic sectors. The basic sector is made up of local businesses that are dependent on external factors. Manufacturing and local resource-oriented firms (like logging or mining) are usually considered to be basic sector firms because their success depends largely on non-local factors, and they usually export their goods. The non-basic sector, in contrast, is composed of those firms that depend largely on local business conditions. Economic Base Theory asserts that the means of strengthening and growing the local economy is developing and enhancing the basic sector.

There are nine economic divisions that are used for Economic Base Analysis. There are four goods-producing sectors: agriculture, forestry, and fishing; mining; construction; and manufacturing. There are five services-producing sectors: transportation and public utilities; wholesale trade; retail trade; finance, insurance, and real estate; and services.

### **Location Quotient Analysis**

The Location Quotient analysis technique compares the Door County economy to the United States. This allows for identifying specializations in the county economy. This is calculated by taking the amount of Door County employment within a certain industry in a given year and dividing it by the total amount of Door County employment for the given year. The total is then divided by the result of taking the amount of United States employment in the same industry in the given year divided by the total amount of United States employment for the given year. The result will be one of the following:

- ♦ If the Location Quotient (LQ) is **less than 1.0**, all employment is considered non-basic, therefore that industry is not meeting local demand for a given good or service.
- ♦ An LQ **equal to 1.0** suggests that the local employment is exactly sufficient to meet the local demand for a given good or service. Therefore, all of this employment is also considered non-basic because none of these goods or services are exported to non-local areas.

- ♦ An LQ **greater than 1.0** suggests that local employment produces more goods and services than the local economy can use, therefore these goods and services are exported to non-local areas, which makes them basic sector employment.

**Table 6-9**  
**Door County Employment Analysis**  
**1990 and 2000**

Economic Division	1990 Employment	% of Total	2000 Employment	% of Total	% Change 1990-00	LQ 1990	LQ 2000
Ag/For/Fish	245	1.8%	359	2.2%	46.5%	1.5	1.5
Construction	916	6.9%	1,614	10.0%	76.2%	1.1	1.5
Manufacturing	3,128	23.6%	2,272	14.1%	-27.4%	1.4	1.0
Trnsp/Utility	294	2.2%	(D)	NA	NA	0.4	NA
Wholesale	286	2.2%	340	2.1%	18.9%	0.4	0.4
Retail	3,507	26.5%	4,304	26.6%	22.7%	1.3	1.4
Fin/Ins/R.E.	732	5.5%	1,590	9.8%	117.2%	0.6	1.0
Services	4,141	31.3%	5,675	35.1%	37.0%	0.9	0.9
<b>Total</b>	<b>13,249</b>	<b>100.0%</b>	<b>16,154</b>	<b>100.0%</b>	<b>21.9%</b>	<b>1.0</b>	<b>1.0</b>

Source: U.S. Department of Commerce, Bureau of Economic Analysis, Regional Accounts Data.  
(D) Not shown to avoid disclosure of confidential information, but the estimates for this item are included in the totals.

### Basic Employment

There are three areas within the 1999 Door County economy that can be considered basic employment areas: Agriculture, forestry and fishing; construction and retail trade. These three areas produce more goods and services than the county economy can use. Also, when Location Quotients increase over time, this suggests that the Door County economy is getting closer to reaching and exceeding local demand. Having basic employment suggests that if a downturn in the local economy occurs, these sectors will not be strongly affected because they are more dependent on non-local economies. Having strong basic sector employment and industry within the county will strengthen the county's economy as well as the economies of municipalities within the county.

### Non-Basic Employment

The wholesale sector, and to a lesser degree, the service sector, are considered non-basic employment. These industries are not meeting local demand for a given good or service.

Possible opportunities to expand the Door County economy may be found in these sectors. Industries with a Location Quotient equal to or very close to one indicate that local demand is being met and services are not being exported. These include the manufacturing, finance, insurance, and real estate industries. Possible opportunities for expansion of the local economy may be found in these sectors if export markets can be secured.

### **6.3 Evaluation of Environmentally Contaminated Sites For Commercial or Industrial Use**

The Wisconsin Department of Natural Resources (WDNR), Environmental Protection Agency (EPA), and the Wisconsin Department of Commerce (WDOC) encourage the cleanup and redevelopment of environmentally contaminated sites for commercial or industrial uses. There are numerous state and federal financial incentive programs available to local governments, real estate developers, businesses, community organizations, and others to finance cleanup and redevelopment projects.

The WDNR has created the Bureau for Remediation and Redevelopment Tracking System (BRRTS) available on the internet. The tracking system is a searchable database of all the contaminated sites that are managed by the Remediation and Redevelopment Program. Using this tracking system a search was done for sites located within the Town of Nasewaupée. Search results indicated that there are three Leaking Underground Storage Tanks (LUST) sites within the town, two of which have been remediated and closed. There are two sites in which spills have occurred and three Environment Repair Program Sites (ERP) located within the community.

### **6.4 Property Tax Base**

Property tax is relied on as an important revenue source for the provision of many county and local services and facilities, for public elementary and secondary schools, for the vocational and technical education system, and for other purposes. Development decisions have a direct bearing on local property tax rates both because of the impact of development and re-development on the property tax base and because of the costs of services attendant to such development or re-development, which costs are supported, at least in part, through property tax. The development and maintenance of a favorable property tax base are major issues in the local planning process.

The ability to finance community projects is also dependent on the tax base. The amount of debt a community is allowed to have cannot exceed five percent of the value of the taxable property located in the community, according to state statutes. For example, according to taxes levied in 2001, the Town of Nasewaupée had a total taxable property value of \$246,056,600 a 16.6% increase from the 2000 value of \$210,942,800. For the same one year period, the county's full taxable value increased approximately 12.2%. In 2001 the town could have incurred a maximum debt of \$12,302,830. The relationship between taxable property and allowable debt is important for deciding what type of development to allow and to ensure that providing services to new development will not cause the town to pay more than it receives in property tax.

## 6.5 Desired Economic Development

During its comprehensive planning process, the Town of Nasewaupee gave consideration to desired future economic development in general and specifically for the STH 42/57 corridor. The highway corridor aspect was addressed through the town's intergovernmental cooperation committee, as the appearance of the corridor is also of great concern to the City of Sturgeon Bay as it represents the city's "gateway."

Agriculture related and sustainable tourism related industries are preferred industries for future economic development in the town. The town will encourage and promote the expansion of the agriculture industry, especially value adding opportunities such as farmers' markets. Other forms of agri-business and home-based businesses are also desired in the town, if they are consistent with the overall character of the town and minimize the potential for negative impacts to existing residences.

With regard to desired economic development along the STH 42/57 corridor, both potential land uses and building and site design are key factors. The planned expansion of STH 57 to four lanes will doubtless lead to increased traffic volumes in the town. Continued opportunities for commercial and industrial development in the town will result, as more tourists and commuters pass through the community. The town's intergovernmental cooperation committee analyzed the potential for economic development along the highway corridor. This analysis included an inventory of the existing business uses along the highway, the results of which are shown on Map 8-2 (Highway Corridor Business Location). This analysis also considered potential future uses and potential design standards.

The town considered this analysis as containing an element of intergovernmental cooperation, not only because this area is the primary "gateway" to the city, but also due to the potential for competition for economic development between the town and the city. The City of Sturgeon Bay has invested financial resources in its infrastructure and has offered other financial incentives to lure appropriate business into the city's downtown, industrial park, and other commercial districts. On the other hand, the town recognizes that there are many businesses or uses that can be very appropriate in the rural portions of the corridor. These businesses represent an important component of the town's tax base. In an effort to level the desire to "compete" for business development between the town and city while improving the overall regional economy of Door County, an effort was made to develop a very detailed list of appropriate uses based on "Corridor Review Criteria." The committee utilized the following Corridor Review Criteria to identify town appropriate uses within the highway corridor:

- ♦ Uses that have low water use and treatment potential
- ♦ Uses that have a low child dependency
- ♦ Uses that are traffic dependent and/or require good highway access

- ♦ Uses that require significant space to store and/or showcase inventory
- ♦ Uses that are related to agriculture
- ♦ Uses that involve low impact natural resource processing

The *Highway 42/57 Corridor Business Use Assessment Report* (February 2003) is attached to the full intergovernmental cooperation report to the Nasewaupée plan commission and identifies a very detailed list of town and city appropriate business and industrial uses. It is hoped that the report can be used as part of a future intergovernmental agreement with the city. Utilization of the report will reduce competition for like businesses, encourage a stronger and more diversified local economy, and provide better guidance to investors and business owners seeking appropriate locations. It is also hoped the report will provide a united position between the town and city in order to help reduce the potential for developers to pit one community against the other in an effort to site their business opportunities.

Building and site design were addressed by the intergovernmental ad-hoc committee and by the plan commission. References to the need for commercial and industrial design review can be found in the policies and recommendations of the *Economic Development, Land Use, and Implementation* Elements. During the planning process, the intergovernmental ad-hoc committee reviewed the objectives of the Commercial Highway Corridor (CHC) management area (defined in Section 8.9 of the *Land Use* Element) and the city's comprehensive plan. The committee also reviewed publications developed by UW-Extension and sample design review ordinances.

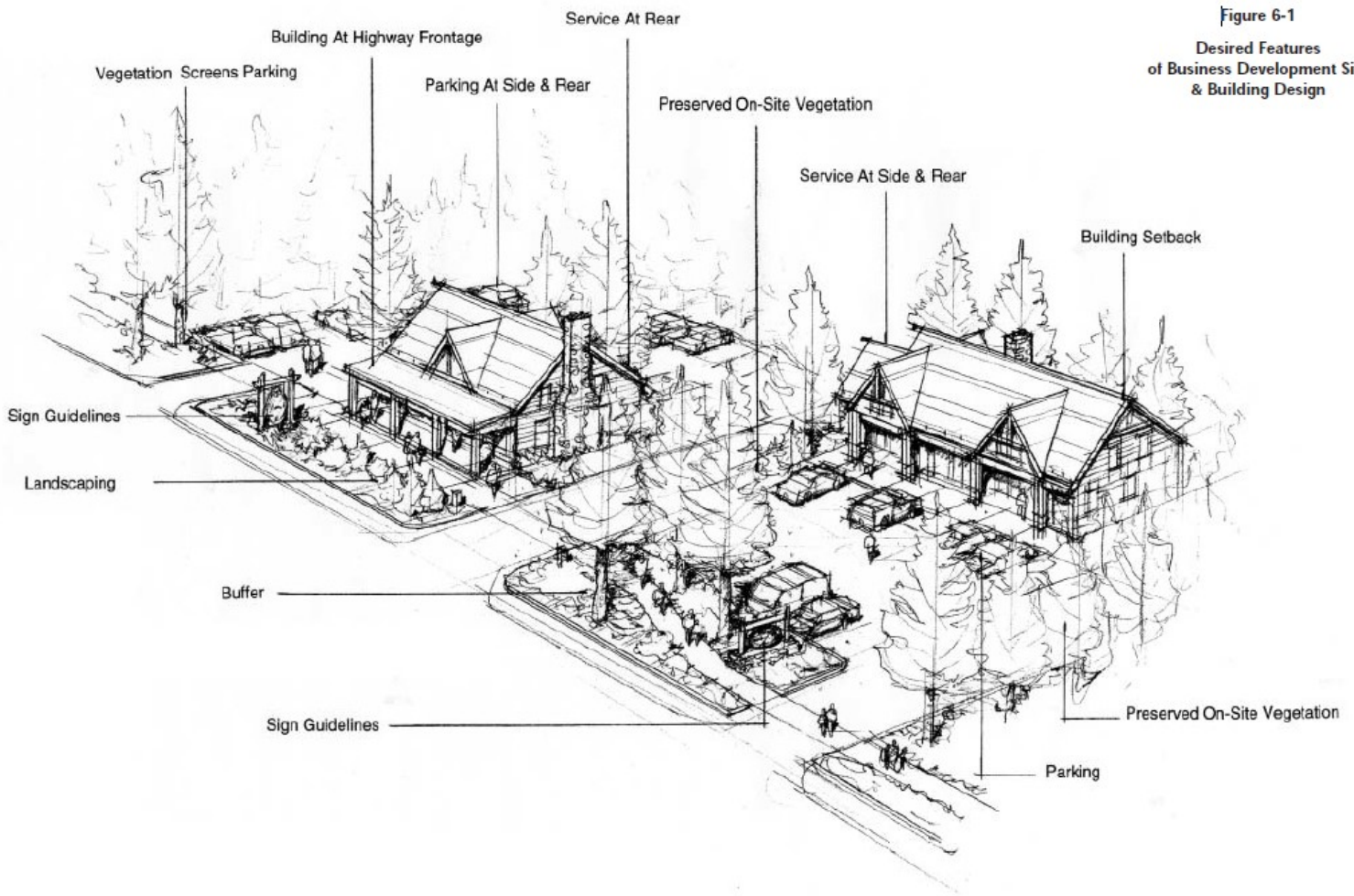
The Town of Nasewaupée supports the development of a commercial and industrial design review ordinance. The ordinance could apply to the corridors of STHs 57 and 42/57 and CTHs C and S. The ordinance should follow the basic directives and standards outlined in the intergovernmental ad-hoc committee's *Highway Corridor Design Report* found in the intergovernmental ad-hoc committee's report to the plan commission (February, 2003). It is envisioned that the design review ordinance could be developed jointly between the city and town. Administration of the ordinance could be conducted by the city through a contract or intergovernmental agreement between both parties. Desired features of future development include:

- ♦ A sense of strong relationship between land use planning and design review
- ♦ No increase or preferably a reduction in billboards and large off-premise signs
- ♦ Buildings located to the front of the parcel with parking behind or on the side of the building
- ♦ Individual or singular buildings with architectural interest

- ♦ Buildings architecture that fits the land use, site, neighbors and community identity (not typical franchise design)
- ♦ Existing trees/shrubs retained and incorporated into the design to the extent possible
- ♦ Coordinated signage, lighting and driveway access
- ♦ Well-planned and landscaped parking lots with safe traffic flow
- ♦ Developments that can contain lighting to the parcel - no spillover light pollution
- ♦ Developments that utilize existing vegetation and landscaped buffers
- ♦ Developments which utilize natural features or landscaping for business separation over fencing
- ♦ Developments that compliment adjacent or other nearby developments
- ♦ Enhancement of the Sturgeon Bay proper community image
- ♦ Enhancement of local property values and services to the community

An example of many of the desirable commercial building and site design features identified above is displayed in Figure 6-2.

**Figure 6-2**  
**Desired Features**  
**of Business Development Site**  
**& Building Design**



**Figure 6-1**  
**Desired Features**  
**of Business Development Site**  
**& Building Design**

## 6.6 Strengths and Weaknesses Analysis

The following is an assessment of the Town of Nasewaupee's strengths and weaknesses with respect to attracting and retaining businesses and industries.

### Strengths

- ♦ The location of the Cherryland Airport within the Town of Nasewaupee provides infrastructure to those businesses or tourists to the area that require or desire air travel.
- ♦ State Highways 57 and 42 run directly through the town and are the primary routes for travel to the City of Sturgeon Bay and the rest of northern Door County. The expansion of the rest of Highway 57 south of Nasewaupee to four lanes is in progress. If highway expansion takes place it will greatly increase ease of travel and traffic volume through the town.
- ♦ The City of Sturgeon Bay is located centrally on the eastern border of the Town of Nasewaupee, allowing for limited travel time to reach a greater range of services or amenities. The City of Green Bay to the south is only 45 minutes away.
- ♦ The Town of Nasewaupee has the services of the Door County Economic Development Authority and the University of Wisconsin-Extension available to assist business and industry to locate in the town or expand.
- ♦ The town currently has no zoning ordinance and would generally be accommodating to businesses that are desired in the area.
- ♦ The town has a variety of natural resources within its borders that are very attractive for seasonal uses and tourism, such as: available farmland for ag-tourism uses, natural features of the Niagra Escarpment, 23.9 miles of shoreline and several other water features, and a state park.

### Weaknesses

- ♦ Nasewaupee does not have any public infrastructure such as sewer and water.
- ♦ The town wants to maintain its rural character, and thus may discourage some types of business or industry development.
- ♦ There is no public transportation available.
- ♦ Some businesses and types of industries may not thrive in the seasonal economy of Door County.

- ♦ The current lack of affordable housing and difficulty in maintaining a reliable workforce may deter the development of new businesses to the area.

## **6.7 Local Employment Forecast**

In January of 2001, the Wisconsin Department of Workforce Development (WDWD) released a publication titled *Wisconsin Projections, 1998-2008*. This publication makes economic projections for the state regarding the labor force, industries, and occupations. The town has many employment patterns very similar to the state, therefore some of the forecasts made for the state will most likely occur in the town and county economy or, at a minimum, effect the economic base.

During the next several years, Wisconsin's population is projected to grow slower and older than the nation as a whole, therefore leading to lower participation rates in the workforce. Wisconsin is also having difficulty attracting international immigrants, domestic migrants, and retaining its own citizens. Wisconsin will continue to face challenges filling job openings. The five industries that are projected to add the most jobs from 1998 to 2008 are business services, health services, educational services, social services, and miscellaneous retail stores. The top five occupations in Wisconsin with the greatest expected job openings for 1998 to 2008 are cashiers, retail salespersons, waiters and waitresses, general office clerks, and general managers/top executives.

## **6.8 Economic Goals and Objectives**

The following are the economic goals and objectives as developed by the Town of Nasewaupee.

***Goal ED-1: Maintain, enhance, and diversify the local economy consistent with other community goals and objectives.***

### **Supporting Objectives:**

1. Enhance economic growth through the use of creative land use planning.
2. Support agriculture and ag-tourism as a preferred industry and strong component of the local economy which provides the town and county with revenue at a minimal cost of service and supports related agricultural processing and service industries.
3. Encourage and promote expansion of agriculture and farmers' markets.
4. Support and explore opportunities for new sustainable tourism businesses based on the town's and region's natural resources, historical heritage, and cultural amenities (without diminishing the quality of life of residents).

5. Facilitate and encourage the establishment of agri-business and home-based businesses that are consistent and compatible with the character of the surrounding area, maintain the rural appearance of neighborhoods, minimize the potential of negative impacts (traffic, noise, odor, glare, signage, parking, truck deliveries, etc.), and do not promote or result in non-residential clusters or strips.
6. Seek town businesses which strengthen and diversify the economic base, expand and enhance the tax base, improve wage and salary levels (i.e., family- wage jobs), increase the variety of job opportunities, utilize the resident labor force, and pay for their own infrastructure.
7. Seek town businesses which exhibit a low water demand, do not generate large wastewater flows or require special wastewater treatment, and which otherwise have minimal impact on the environment.
8. Ensure that there is sufficient prime commercial and light industrial land to accommodate desired economic growth in the Town of Nasewaupee.
9. Improve coordination between the town and other agencies or organizations involved in economic development efforts (e.g., business recruitment) in Door County to effectively pursue economic development grants and economic growth which benefit the Town of Nasewaupee.

## **6.9 Economic Policies and Recommendations**

### **Policies**

Policies identify the way in which activities are conducted in order to fulfill the town's land use goals and objectives. Policies that direct action using the words "shall" or "will" are advised to be mandatory aspects of the implementation of the Town of Nasewaupee Comprehensive Plan. In contrast, those policies using the words "should" or "may" are advisory and intended to serve as a guide.

- ♦ Future development will include a reasonable assessment of impacts to the town's tax base, public facilities, services, and infrastructure.
- ♦ Future commercial and industrial development proposals will address impacts to economic health and markets including employment, job creation, and job retention.

- ♦ Future commercial and industrial development shall employ site and building designs that include:
  - Attractive signage and architecture.
  - Shared highway access points.
  - Screened parking areas.
  - Landscaping.
  - Efficient traffic and pedestrian flow.
  - Commercial cluster design that promotes mixed-use infill as described in the *Land Use* Element.
  - Incentives may be considered by the town for developments that diversify the local economy.

## **Recommendations**

1. Develop design review standards for commercial and industrial development that promote the town's desired economic development and strengthen the tax base.
2. Coordinate a meeting between the town, the Wisconsin Department of Transportation, and Door County Planning staff to consider future access provisions along STH 57 and the potential need for frontage roads.

## **6.10 Economic Programs**

The following list of programs are available to the Town of Nasewaupee to further their economic development stability, retention or expansion. Note that many programs, funding sources, and contacts change from year to year and that the list is not all-inclusive. This section should periodically be updated.

### **County Programs**

#### **Door County Economic Development Corporation**

The Door County Economic Development Corporation (DCEDC) is a public/private partnership dedicated to improving the economic vitality of the county and its residents. The DCEDC was established in 1988 and provides a variety of professional economic development services to communities and businesses in the county. Services or assistance includes a Development Zone Program, Waterfront Redevelopment Program, Export Assistance Program, industrial park expansion, grant and funding programs, and a variety of other programs and resources. For further information contact the DCEDC at (920) 743-3113 or (800) 450-3113 or visit the web-site at [www.doorcountybusiness.com](http://www.doorcountybusiness.com).

#### **University of Wisconsin-Extension Door County**

The Door County Extension office offers a variety of services and practical education programs tailored to local needs and based on university knowledge and research. Community Resource Development Educators work to strengthen the knowledge and

skills of citizens, community leaders, and local officials. Some services include, but are not limited to, the following: community revitalization, demographic information, small business education, and community economic analysis. For further information about the Door County UW-Extension visit the Extension web-site at [www.uwex.edu](http://www.uwex.edu).

## **Regional Programs**

### **Bay-Lake Regional Planning Commission**

Door County is currently not a member of the Commission, however a variety of services are still available, primarily economic related data and information on funding sources. The Commission also annually creates a Comprehensive Economic Development Strategy (CEDS) report which evaluates local and regional population and economic activity. Regional economic development trends, opportunities and needs are identified within the CEDS report. For more information regarding the Bay-Lake Regional Planning Commission or its services contact the Commission at (920) 448-2820.

## **State Programs**

### **Wisconsin Department of Commerce**

The Wisconsin Department of Commerce (WDOC) has several grant programs and services available to the Town of Nasewaupee or businesses within the town. The federally funded Community Development Block Grant (CDBG) program can be used for housing, economic development, and public facility improvements. WDOC also offers many more business assistance and financing programs as well as economic development news and statistics. For more information regarding available WDOC services call (608) 266-1018 or visit their web-site at [www.commerce.state.wi.us](http://www.commerce.state.wi.us).

### **USDA Wisconsin Rural Development Programs**

The Wisconsin Rural Development Program has many services that would be available to the Town of Nasewaupee and its residents. Some programs and services available include: community development programs, business and community programs, rural housing and utilities services, and community facility programs. For more information on programs or services offered by Rural Development contact Brian Deaner or Virginia Morgan at (715) 345-7610.

### **US Department of Commerce, Economic Development Administration (EDA) Programs**

EDA offers the Public Works Program which empowers distressed communities in economic decline to revitalize, expand, and upgrade their physical infrastructure to attract new industry, encourage business expansion, diversify local economies, and generate or retain long-term, private sector jobs and investment.

## **7 Intergovernmental Cooperation**

Many of the issues within the Town of Nasewaupee cross jurisdictional boundaries, affecting more than just the town. This element provides information regarding existing plans or agreements between the Town of Nasewaupee and other jurisdictions. In addition, this element identifies existing or potential conflicts, as well as processes to resolve such conflicts relative to joint planning and decision making between the Town of Nasewaupee and other governmental units.

### **7.1 Inventory of Existing Plans and Agreements**

There are currently no formal intergovernmental agreements to which the Town of Nasewaupee is party. However, the town does maintain informal agreements with the Southern Door Fire Department, surrounding towns, and Door County.

The Southern Door County Fire Department facility in Nasewaupee is located on town owned property. In return, the town is allowed to use the building as its town hall including meeting space and limited file storage.

Nasewaupee shares the maintenance of roads with surrounding towns along town borders. This is also an informal agreement, but is based primarily on the distribution of road aid funding.

Door County has informally agreed to maintain Hainesville Road, a primary truck access to the Door County Landfill. Although solid waste is no longer hauled into the landfill on this road, collected leachate is hauled out by county trucks.

### **7.2 Intergovernmental Cooperation Strategy and Potential Opportunities**

As a part of the planning process, the town established an intergovernmental cooperation ad-hoc committee that included Plan Commission, Town Board, and citizen members to work specifically on intergovernmental cooperation. This committee was charged with exploring potential intergovernmental cooperation opportunities with an emphasis placed on developing a strategy for cooperation with the City of Sturgeon Bay. To date, the committee has accomplished the following tasks:

1. Ranked 18 opportunities in order from most to least important.
2. Reworked/reworded some opportunities and reduced the 18 to 14.
3. Decided to concentrate on the top eight opportunities.
4. Obtained a copy of the February 2001 City of Sturgeon Bay Comprehensive Plan.

5. Discussed parts of the Sturgeon Bay Comprehensive Plan and some of the opportunities with the City of Sturgeon Bay and Door County representatives.
6. Identified portions of the Sturgeon Bay Comprehensive Plan applicable to each of the eight top opportunities.
7. Researched background information for opportunities as required.
8. Reviewed, discussed, amended, and adopted final copies of the Foth & Van Dyke reports for each opportunity.
9. Prepared the Committee's Report to Planning Commission, February 27, 2003 complete with recommendations, position statements, and supporting documentation for each opportunity.

The Town of Nasewaupée's highest priority intergovernmental cooperation opportunities with the City of Sturgeon Bay include:

1. Wellhead protection.
2. Share government administration of programs (and services).
3. Establish a logical city growth area for annexation. (Acknowledge the city will need to grow but define where and what is reasonable.)
4. Pursue discussions to obtain public sewer and water service from city without annexation.
5. Pursue a public sewer and water policy along town/city borders which would allow city sewer and/or water service to houses within the town immediately adjacent to city owned lines without annexation.
6. Pursue stormwater management on a watershed basis including necessary infrastructure.
7. Identify town appropriate commercial and industrial uses along the HWY 42/57 corridor that provide economic development opportunities.
8. Pursue compatible streetscape and building design standards within city gateway areas.

### **Wellhead Protection**

The Town of Nasewaupée is an important player in the protection of the City of Sturgeon Bay Wells No. 8 and 10. Map 7-1 displays the approximate boundaries of the zones of contribution for these wells. Theoretically, development within the town could threaten the city's water supply. Since groundwater flows pay no attention to municipal boundaries, cooperation among

municipalities is paramount. Future strategies for the protection of zones of contribution (ZOCs) are identified in the city's *Wellhead Protection Plan*. They include: public educational efforts for persons living or owning property in the ZOCs, incentive programs to encourage development and implementation of management practices that minimize groundwater contaminants, sanitary surveys and remediation efforts, water monitoring programs, agricultural standards and prohibitions, construction plan reviews, and contingency plans. In addition, a purchase of development rights (PDR) program could be pursued. A PDR program appears the most permanent protection option within the identified ZOC areas. The city, city utility, county, non-profit organizations, and town could jointly fund the PDR program with the assistance of federal and state cost share programs.

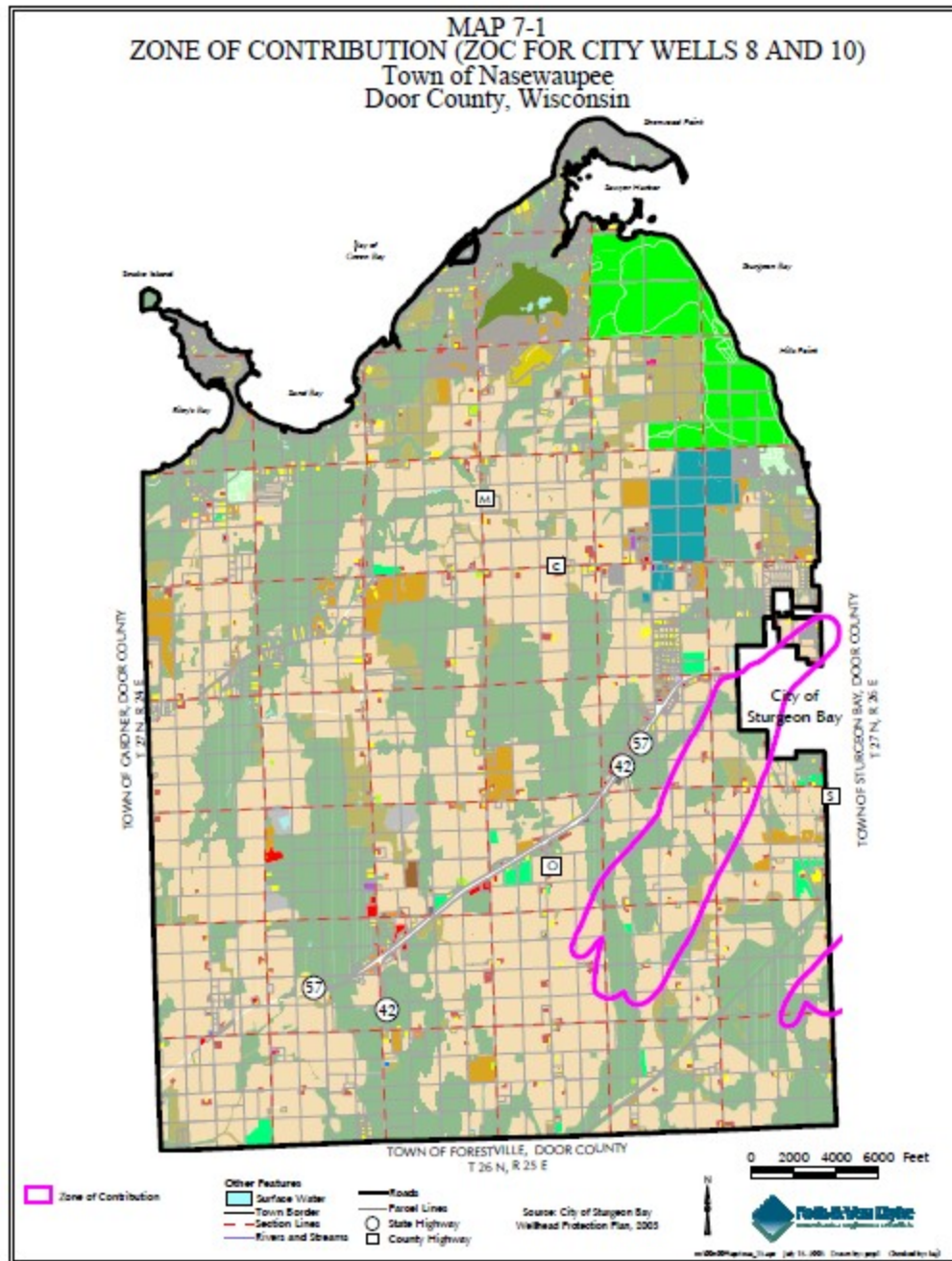
### **Shared Administration of Programs and Services**

Increasing public demand for flexible land use regulations and cost effective service creates a challenging mismatch when combined with decreasing state, county, and municipal budgets. The answer to these trends may lie in shared service agreements. Flexible land use regulations are often more complex and difficult to administer than conventional zoning. For instance, if nearby towns were to contract with the City of Sturgeon Bay or Door County for the administration of certain codes, those towns might benefit by saving money, while the city and county could benefit by generating additional revenue. The same may hold true for jointly funding services such as stormwater management, wellhead protection, police protection, and park development.

Efforts to further define, negotiate, and execute joint contracts with neighboring units of government and the county for program administration and service needs will be necessary in order to continue to improve services without raising costs. Although county and city capacity for the joint administration of programs or services may not be available at the present time, there may be opportunities that surface in the future by planning ahead. As an example, an exchange of planning services occurs today as the City of Sturgeon Bay has an agreement with the Door County Planning Department that offers up to eight (8) hours per week of planning service. If the Town of Nasewaupée expresses its needs today, then Door County and the City of Sturgeon Bay may be able to plan for future expansions of technical services related to land use management.

Planning ahead is also necessary in order to take full advantage of future ordinance development efforts. For example, if multiple units of government are simultaneously developing new codes with the same basic objectives, maintaining consistency between those codes would better facilitate shared administration opportunities. Presently, it appears that there will be no opportunity to develop the core components of Nasewaupée's land use management system on a cooperative basis. Once developed, the opportunity to merge or jointly develop ordinances with other communities and the county could become more likely. More immediate opportunities for cooperative ordinance development might be possible with the City of Sturgeon Bay. Wellhead protection, stormwater management, design review within the highway corridor, and land use controls within the Planned Transition management area are all subjects of mutual concern between the town and the city.

## Map 7-1 Zone of Contribution



## **Establish a Logical City Growth Area for Annexation**

The Town of Nasewaupee supports efforts to establish a logical city growth boundary as part of an intergovernmental agreement with the City of Sturgeon Bay. The town's proposed city growth area is shown on Map 8-4 (Year 2025 Preferred Land Use), and was based on: the historic rate of annexation within the town, city population projections, infrastructure, drainage areas, potential need for city services, and references found within the city's own comprehensive plan. Most of the proposed city growth area has been designated as the Planned Transition management area. Recognizing the need to maintain a development density that can more easily accommodate city growth, the town has set the planned development density within the Planned Transition management area at one unit per 10 acres, or 2 units per 10 acres with clustering.

## **Obtain Sewer and Water Service from the City Without Annexation and Pursue a Public Sewer and Water Policy Along Borders**

The Town of Nasewaupee gives high priority to seeking solutions to water quality problems through cooperative efforts with the City of Sturgeon Bay. For the past 30 years, parts of Nasewaupee have experienced wastewater problems: failing septic systems, threatened public and private water supplies, and the much publicized beach closings in the summer of 2002. The underlying reason for the wastewater problems is the geology of Door County - thin soils over fractured dolomitic rock. Threats to water quality are most prevalent in more densely populated areas of the town, including the northern coastal area and directly west of the City of Sturgeon Bay.

Town, city, and county governments, and Nasewaupee residents addressed the wastewater problems in various ways. Door County hired an engineering firm to develop a comprehensive county sewer and water plan. At least three sanitary districts were formed by town residents, each hiring engineering firms to propose solutions to their specific problem. The City of Sturgeon Bay built a new large capacity wastewater treatment facility anticipating future growth and annexed about 555 acres in response to town residents' petitions. The town hired engineers to address a town-wide wastewater management program. The City of Sturgeon Bay, through its subsidiary Sturgeon Bay Utilities, and the Door County Soil & Water Department developed a Wellhead Protection Plan to identify and protect the zones of contribution for city wells. Most recently, county departments have been monitoring polluted county beaches, which pose a threat to the county's valuable tourism industry.

## **Pursue Stormwater Management on a Watershed Basis**

The Town of Nasewaupee supports efforts to jointly develop and administer a stormwater management ordinance to guide development within anticipated city growth areas. At this time, it appears that development within inter-municipal watersheds may be adequately addressed by the requirements of Wisconsin Administrative Code NR 151. However, a longer term solution may lie within the joint development and administration of a stormwater management ordinance that is tied to a more detailed stormwater management plan. A major advantage to a cooperative

approach is the assurance that any stormwater management infrastructure is designed to appropriately tie into existing and planned systems.

### **Identify Town Appropriate Commercial and Industrial Uses Along the HWY 42/57 Corridor that Provide Area Economic Development Opportunities**

When Highway 42/57 was expanded from two lanes to four lanes in the Town of Nasewaupee, it created opportunities for commercial and industrial development on adjacent properties. Ample vacant land adjacent to the corridor and great traffic visibility spawned an increase in commercial development activity. However, the lack of planning review has created a conglomeration of uses within the corridor and related land use compatibility issues. The appearance of the corridor is also of great concern to the City of Sturgeon Bay, as it represents the city's "gateway". Fiscal interests are another mutual concern relative to the highway corridor. The City of Sturgeon Bay has invested financial resources in its infrastructure and offered other financial incentives to attract appropriate business into the city's downtown, industrial park, and other commercial districts. Corridor businesses located outside of the city limits represent an important component of the town's tax base.

Better planning for the highway corridor would direct appropriate development for rural areas to the town, and appropriate development for urban areas to the city. From the town's perspective not all business uses are appropriate within the rural portions of the corridor. A very detailed list of potential commercial and industrial uses was reviewed during the planning process by the special committee for intergovernmental cooperation. The following "Corridor Review Criteria" were used to determine town appropriate uses within the highway corridor:

- ♦ Uses that have low water use and treatment potential
- ♦ Uses that have a low child dependency
- ♦ Uses that are traffic dependent and/or require good highway access
- ♦ Uses that require significant space to store and/or showcase inventory
- ♦ Uses that are related to agriculture
- ♦ Uses that involve low impact natural resource processing

The complete details of this stage of the planning process can be found in the *Highway 42/57 Corridor Business Use Assessment Report*. The report includes Nasewaupee's perspective on town and city appropriate business and industrial uses. It is hoped that the report can be used as part of a future intergovernmental agreement with the city to decrease competition for like businesses, encourage a stronger and more diversified local economy, and provide better guidance to investors and business owners seeking appropriate locations. It is also hoped the attached report will provide a united position between the town and city so as to reduce the potential for developers to pit one community against the other when looking to site business opportunities.

## **Pursue Compatible Streetscape and Building Design Standards within City Gateway Areas**

The Town of Nasewaupée supports the development of a design review ordinance. The ordinance, as a minimum, should include the entire STH 42/57 corridor and CTHs C and S. The ordinance should follow the basic directives and standards outlined in the *Highway Corridor Design Report*. It is envisioned that the design review ordinance could be developed jointly between the city and town with administration of the ordinance conducted by the city through a contract or intergovernmental agreement between both parties. It is hoped that town efforts to improve the "gateway" to the city would be recognized as part of a future intergovernmental agreement.

### **7.3 Framework for Intergovernmental Cooperation in Wisconsin**

#### **66.0301 - Intergovernmental cooperation.**

Wisconsin Statute, 66.0301 permits local agreements between the state, cities, villages, towns, counties, regional planning commissions, and certain special districts, including school districts, public library systems, public inland lake protection and rehabilitation districts, sanitary districts, farm drainage districts, metropolitan sewerage districts, sewer utility districts, Indian tribes or bands, and others.

Intergovernmental agreements prepared in accordance with s. 66.0301, formerly s. 66.30, are the most common form of agreement and have been used by communities for years, often in the context of sharing public services such as police, fire, or rescue. This type of agreement can also be used to provide for revenue sharing, to determine future land use within a subject area, and to set temporary municipal boundaries. However, the statute does not require planning as a component of any agreement and boundary changes have to be accomplished through the normal annexation process.

#### **66.0307 - Boundary changes pursuant to approved cooperative plan.**

Under Section 66.0307, Wisconsin Statutes, combinations of municipalities may prepare cooperative boundary plans or agreements. Each city, village, or town that intends to participate in the preparation of a cooperative plan must adopt a resolution authorizing its participation in the planning process.

Cooperative boundary plans or agreements involve decisions regarding the maintenance or change of municipal boundaries for a period of 10 years or more. The cooperative plan must include a plan for the physical development of the territory covered by the plan; a schedule for changes to the boundary; plans for the delivery of services; an evaluation of environmental features and a description of any adverse environmental consequences that may result from the implementation of the plan. It must also address the need for safe and affordable housing. The participating communities to the plan must hold a public hearing prior to its adoption. Once

adopted, the plan must be submitted to the Wisconsin Department of Commerce for state approval. Upon approval, the cooperative plan has the force and effect of a contract.

### **66.0309 - Creation, organization, powers, and duties of regional planning commissions.**

Neither the Town of Nasewaupée nor Door County are currently member communities of the Bay-Lake Regional Planning Commission, however, the comprehensive planning law requires this topic be addressed. Wisconsin Statute 66.0309 permits local governments to petition the governor to create a regional planning commission (RPC). If local support for a commission is unanimous, the governor may create it by executive order. The governor may also create a commission if local governments representing over 50 percent of the population or assessed valuation of the proposed region consent to the creation. Commission members are appointed by either local governments or the governor.

State Statutes require the RPC to perform three major functions:

1. Make and adopt a master plan for the physical development of the region.
2. If requested by a local unit, report recommendations to that local unit on the location or acquisition of land for any of the items or facilities which are included in the adopted regional master plan.
3. Make an annual report of its activities to the legislative bodies of the local governmental units within the region.

RPCs are also authorized to perform several other functions, however, by law, they serve a strictly advisory role.

### **66.021 - Annexation**

Wisconsin Statute, 66.021, Annexation of territory, provides three petition methods by which annexation may occur. Annexation involves the transfer of one or more tax parcels from a town to a city or village. Cities and villages cannot annex property without the consent of landowners as required by the following petition procedures:

1. Unanimous Approval - A petition is signed by all of the electors residing in the territory and the owners of all of the real property included within the petition.
2. Notice of Intent to Circulate Petition (Direct Petition for Annexation) - The petition must be signed by a majority of electors in the territory and the owners of one-half of the real property either in value or in land area. If no electors reside in the territory, then only the landowners need sign the petition.

3. Annexation by Referendum - A petition requesting a referendum election on the question of annexation may be filed with the city or village when signed by at least 20 percent of the electors in the territory.

### **62.23 - Extraterritorial Zoning**

Wisconsin Statute, 62.23(7a), Extraterritorial zoning, allows a first, second or third class city to adopt zoning in town territory, 3 miles beyond a city's corporate limits. A fourth class city or village (such as the City of Sturgeon Bay) may adopt zoning 1.5 miles beyond its corporate limits.

Under extraterritorial zoning authority, a city or village may enact an interim zoning ordinance that freezes existing zoning, or, if there is no zoning, existing uses while a plan and regulations are developed. The statute provides that the interim ordinance may be for two years. The City of Sturgeon Bay has expressed interest in establishing extraterritorial zoning in the Town of Nasewaupee. In May of 2003, the city passed a resolution appointing three members to serve on an extraterritorial zoning committee. The town will also appoint three members to this committee.

### **236.10 - Extraterritorial Subdivision Review**

Wisconsin Statute, 236.10, Approvals necessary, allows a city or village to exercise its extraterritorial plat review authority in the same geographic area as defined within the extraterritorial zoning statute. However, extraterritorial zoning requires town approval of the zoning ordinance, while extraterritorial plat approval applies automatically if the city or village adopts a subdivision ordinance or official map. The town does not approve the subdivision ordinance for the city or village. The city or village may waive its extraterritorial plat approval authority if it does not wish to use it. The City of Sturgeon Bay has actively exercised its extraterritorial plat review authority in the Town of Nasewaupee.

The purpose of extraterritorial plat approval jurisdiction is to help cities and villages influence the development pattern of areas outside their boundaries that will likely be annexed to the city or village. This helps cities and villages protect land use near its boundaries from conflicting uses outside its limits. Overlapping authority by the city and village is prohibited. This situation is handled by drawing a line of equal distance from the boundaries of the city and village so that not more than one ordinance will apply.

### **66.0305 - Municipal Revenue Sharing**

Wisconsin Statute, 66.0305, Municipal Revenue Sharing, gives authority to cities, villages, and towns to enter into agreements to share revenue from taxes and special charges with each other. The agreements may also address other matters, including agreements regarding services to be provided or the location of municipal boundaries.

Boundaries of the shared revenue area must be specified in the agreement and the term of the agreement must be for at least 10 years. After the minimum 10 year period, components of the agreement may become invalidated. These components include the formula or other means for sharing revenue, the date of payment of revenues, and the means by which the agreement was made.

### **66.0201 - Incorporation**

Wisconsin Statutes, 66.0201 - Incorporation of villages and cities; purpose and definitions, and 66.0211 - Incorporation referendum procedure, regulate the process of creating new villages and cities from town territory. Wisconsin Statute, 66.0207 - Standards to be applied by the department, identifies the criteria that have to be met prior to approval of incorporation.

The incorporation process requires filing an incorporation petition with circuit court. Then, the incorporation must meet certain statutory criteria reviewed by the Municipal Boundary Review Section of the Wisconsin Department of Administration. These criteria include:

- ♦ Minimum standards of homogeneity and compactness, and the presence of a “well developed community center;”
- ♦ Minimum density and assessed valuation standards for territory beyond the core;
- ♦ A review of the budget and tax base in order to determine whether or not the area proposed for incorporation could support itself financially;
- ♦ An analysis of the adequacy of government services compared to those available from neighboring jurisdictions;
- ♦ An analysis of the impact incorporation of a portion of the town would have on the remainder, financially or otherwise; and
- ♦ An analysis of the impact the incorporation would have on the metropolitan region.

It is unlikely that the Town of Nasewaupée would meet the above criteria for incorporation at the present time or within the next 20 to 25 years.

### **66.0225 - Municipal Boundaries Fixed by Judgment**

Wisconsin Statutes, 66.0225 - Municipal Boundaries Fixed by Judgment. Any two municipalities that share a boundary and are both party to a legal action to test the validity of an annexation, incorporation, consolidation, or detachment may enter into a written stipulation to settle the litigation and establish the location of the boundary line. The deciding court has the

authority to incorporate the stipulation into its judgment. Any stipulations must be agreed to by the municipalities involved, and a referendum may be required in some cases.

## **7.4 Analysis of Relationships with Other Jurisdictions**

### **Surrounding Cities and Towns**

The Town of Nasewaupee has a long history of interaction with the City of Sturgeon Bay that is typical of a growing city and neighboring rural town. Annexations, the use of extraterritorial review authority, and sewer and water service have been contentious issues. Nasewaupee has attempted to demonstrate through its comprehensive planning process that there is a willingness to pursue a cooperative relationship with the city. The town should continue these efforts and pursue the establishment of an intergovernmental agreement with the city.

The towns surrounding Nasewaupee share a common identity as the gateway to Door County (see Map 1-1, Town of Nasewaupee and Surrounding Communities). Surrounding towns include: Gardner, Brussels, Forestville, Clay Banks, and Sturgeon Bay. The southern Door County towns interact through a shared school district, a multi-community fire department, and have even held joint land use planning meetings in the past. Nasewaupee also interacts with the surrounding towns through the Door County Unit of the Wisconsin Towns Association.

All neighboring jurisdictions were afforded the opportunity to review the “Recommended Draft” of the Town of Nasewaupee Comprehensive Plan.

### **School Districts**

The Town of Nasewaupee is contained entirely within the Southern Door School District and shares some common concerns with the district. Annexations by the City of Sturgeon Bay can indirectly impact school enrollment between the Southern Door and Sturgeon Bay Districts. These impacts should be given consideration as the town’s intergovernmental cooperation strategy is implemented. The Southern Door School District was afforded the opportunity to review the “Recommended Draft” of the Town of Nasewaupee Comprehensive Plan.

### **Door County**

Nasewaupee interacts with Door County on a regular basis through many departments and services including the County Highway Department, the Soil and Water Conservation Department, and the Planning and Zoning Department. The town contains many county highways, and although the town has not adopted the county’s comprehensive zoning ordinance, many other county codes and ordinances apply within the town. A detailed description of county ordinances that apply in the town can be found in Appendix A. Door County was afforded the opportunity to review the “Recommended Draft” of the Town of Nasewaupee Comprehensive Plan.

## **Regional Planning Commission**

The Bay-Lake Regional Planning Commission (BLRPC) provides several functions relative to planning, economic development, transportation planning, and local assistance. Highway developments within the town and other areas of the region make regional travel and commerce increasingly accessible. Nasewaupée benefits from studies, plans, and data provided by the Bay-Lake Regional Planning Commission. Door County is not a member of BLRPC. Understanding regional connections, impacts, and relationships will become increasingly important during the planning period. The BLRPC was afforded the opportunity to review the “Recommended Draft” of the Town of Nasewaupée Comprehensive Plan.

## **Wisconsin Department of Natural Resources (WDNR)**

The Town of Nasewaupée has a diverse natural environment with many resources that will require protection or maintenance in the future. The town should encourage increased WDNR involvement in the pursuit of its natural resource goals. Continuing a good working relationship with the WDNR will ensure the proper protection of the town’s resources as well as up-to-date information on funding opportunities, new reports or studies, and access to the department’s services. The town’s positive relationship with the WDNR is partly facilitated by the presence of Potawatomi State Park. Town officials and park staff communicate regularly regarding the provision of town and park services.

## **Wisconsin Department of Transportation (WDOT)**

The Highway 57 expansion project has required considerable coordination between the town and the WDOT. The town should continue to participate in any public outreach efforts or information sessions conducted by the WDOT to maintain the working relationship. Town concerns or other issues should be brought to the WDOT’s attention and discussed as early as possible. Highway 57 access issues will be of special concern. Maintaining a good working relationship with the WDOT will decrease conflicts regarding the highway expansion project as well as provide a base for any future road construction within the town.

## **Wisconsin Department of Administration (WDOA)**

The Office of Land Information (OLIS) administers the states’s Comprehensive Planning Grant program. The town received funding from this program in order to facilitate its planning process and has maintained communications with OLIS throughout the project.

The Wisconsin Coastal Management Program, which is headed by the WDOA, consistently works to coordinate efforts with local, county, regional, other state agency, and federal programs that affect the coasts of Wisconsin. The program recognizes and works to coordinate programs so that efforts are administered consistently at all levels. The town also received funding toward its planning process from the Coastal Management Grant program.

## 7.5 Plans of Neighboring Jurisdictions

The only adjacent town with a land use plan or comprehensive plan is the Town of Brussels. The City of Sturgeon Bay also has a comprehensive plan.

### **Town of Brussels 2020 Comprehensive Plan**

The Town of Brussels 2020 Comprehensive Plan was adopted in November of 2002. The town prepared this plan with the assistance of the Bay-Lake Regional Planning Commission and it was written to comply with Wisconsin's Comprehensive Planning law (Wis. Stats. 66.1001). The town's plan is for primary growth to occur near the rural hamlet of Brussels with commercial and light industrial development extending toward, but not reaching STH 57 (new alignment). The future land use plan corresponds closely with the existing zoning, and most of the town is zoned for a one unit per 5 acre density with a 2 acre minimum lot size.

An area of mutual concern for both Brussels and Nasewaupée is development along the STH 57 corridor. This plan adopts a strategy that new development will not be allowed to access the highway directly. New access points along connecting county and local roads is also discouraged within 1000 feet of the state highway. The plan also suggests that off premise billboards should be prohibited along the STH 57 corridor in order to preserve the character of the town.

The town identified potential intergovernmental cooperation opportunities:

- ♦ Preservation of Brussels Hill
- ♦ Preservation of historic and archeological sites
- ♦ Preservation of scenic and rural character of STH 57
- ♦ Local road maintenance and alignment
- ♦ Protection of groundwater and surface water quality
- ♦ Protection and preservation of natural resource base
- ♦ Sharing of duplicate services
- ♦ Improved communication between local units of government
- ♦ Common goals for conservation areas that cross town boundaries

The town also identified potential conflicts:

- ♦ Lack of zoning on STH 57 corridor
- ♦ Billboards and commercial enterprises without consideration of impacts

Brussels is the only town with zoning along the STH 57 corridor at the present time, but its plan also states that the Towns of Nasewaupée and Union are considering adopting some form of land use regulation. The plan also suggests joint meetings between local units of government as a potential solution to these conflicts.

## City of Sturgeon Bay Comprehensive Plan

The City of Sturgeon Bay Comprehensive Plan was adopted in February of 2001. The city prepared this plan with the assistance of a planning consultant, and the plan was substantially completed prior to the passage of Wisconsin's Comprehensive Planning law. The city's aspirations for the future include improving its economic vitality, retaining its small town character and natural surroundings, and preserving the strength of its downtown. The city's land use plan as it extends into Nasewaupée is primarily for single-family housing but also includes areas of planned open space, commercial expansion, mixed residential, and commercial service mixed use.

Areas of mutual concern addressed by the city's comprehensive plan include the Highway 42/57 corridor and the use of extraterritorial review authority. Sturgeon Bay's policy for the 42/57 corridor includes the improvement of a quality gateway entry through better site and streetscape design, a mix of commercial and service uses, and the avoidance of "leap frog" commercial development. The city's plan also recommends the use of extra-territorial zoning within its planning area. Controlling uncoordinated growth within Nasewaupée is a concern.

This plan does not specifically identify intergovernmental cooperation opportunities with the surrounding towns.

### 7.6 Potential Intergovernmental Conflicts

The Town of Nasewaupée Comprehensive Plan is generally compatible with plans of neighboring and overlapping jurisdictions and contains many points of mutual interest. However, there are four known points of conflict between Nasewaupée's policies and recommendations and the plans of other jurisdictions:

1. The town's intergovernmental cooperation strategy includes the pursuit of public sewer and water extensions from the City of Sturgeon Bay without annexation of the served territory. The city's policy is that sewer and water are only extended to areas that are within its municipal borders which requires annexation.
2. The town's intergovernmental cooperation strategy suggests a growth area for the City of Sturgeon Bay that differs from that identified by the city. The town has recommended a smaller growth area as indicated on Map 8-4 (Year 2025 Preferred Land Use).
3. The development densities recommended as a part of Nasewaupée's preferred land use management areas differ from the densities and minimum lot sizes established by Door County Shoreland Zoning. These conflicting areas are explained in detail in the *Land Use Element*.
4. The development densities shown within Nasewaupée by the City of Sturgeon Bay Comprehensive Plan far exceed the town's planned density and the capacity for the native

soils to provide onsite wastewater treatment and a safe drinking water supply. The densities suggested by the city plan are as high as 2 dwelling units per acre. This is in contrast to the town's planned density of 1 dwelling unit per 10 acres or 2 dwelling units per 10 acres with the use of cluster subdivision design.

## **7.7 Conflict Resolution**

As discussed in Section 7.2 (Intergovernmental Cooperation Strategy and Potential Opportunities), the Town of Nasewaupée has established an intergovernmental cooperation ad-hoc committee as a part of the comprehensive planning process. This committee should remain standing as a mechanism to facilitate improved intergovernmental relationships and conflict resolution. The committee furnished a report (February, 2003) to the plan commission which outlines a win-win strategy to negotiate an intergovernmental agreement with the City of Sturgeon Bay. As the town moves forward with the implementation of its plan and intergovernmental cooperation strategy, opportunities to reach consensus on points of conflict will arise.

Door County may be in a position to assist with intergovernmental cooperation and conflict resolution. The county has initiated pre-planning efforts, and if a county-wide planning process is successfully launched, this may provide an additional forum for resolution of planning conflicts in the town. Opportunities to maximize efficiency of service delivery or for joint administration of programs may also arise from the county planning process.

## **7.8 Intergovernmental Cooperation Goals and Objectives**

***Goal IC-1: Establish mutually beneficial intergovernmental relations with other units of government.***

### **Supporting Objectives:**

1. Realize individual and shared visions, goals, objectives, and programs.
2. Pursue cooperative agreements regarding annexation, expansion of public sewer and water services, and growth management with the City of Sturgeon Bay.
3. Seek opportunities to enhance the provision of coordinated public services and facilities such as police, fire, emergency rescue, waste management, transportation systems (e.g., roads, bike/pedestrian routes, transit, etc.), parks and recreation with other units of government.
4. Pursue cooperation and coordination between the town and adjacent municipalities with respect to long-range planning and land use controls, especially along and near town boundaries and the STH 42/57 corridor.

5. Support and continue ongoing efforts to meet regularly with other southern Door County towns to discuss growth management and land use issues.
6. Maintain town involvement related to the State Highway 57 Transportation/Land Use Highway Corridor Study and resulting plan.
7. Maintain town involvement in county efforts to pursue development of a computer-based decision making model for land use planning and growth management policy development.
8. Pursue opportunities to jointly hold public forums and workshops to exchange information and increase public understanding and acceptance of innovative planning tools and programs.
9. Promote communication and cooperation by providing neighboring municipalities and overlapping authorities opportunities to comment on the town's comprehensive plan, implementing land use controls, and specific development proposals.
10. Coordinate implementation of the town's comprehensive plan with Door County to avoid conflicting regulations, duplication of regulatory and review processes, and public confusion on applicable regulations.
11. Seek county technical and financial assistance to support town planning efforts and implementation of land use controls.
12. Pursue partnerships and cooperative efforts to maintain and improve the water quality of town surface and groundwater resources, especially areas of documented water quality degradation (e.g., Sawyer Harbor).

## **7.9 Intergovernmental Cooperation Policies and Recommendations**

### **Policies**

Policies identify the way in which activities are conducted in order to fulfill the town's land use goals and objectives. Policies that direct action using the words "shall" or "will" are advised to be mandatory aspects of the implementation of the Town of Nasewaupee Comprehensive Plan. In contrast, those policies using the words "should" or "may" are advisory and intended to serve as a guide.

Nasewaupee's vision and priorities for intergovernmental cooperation led to the development of policies in three major areas of concern: monitoring of cooperation opportunities, evaluation of development proposals, and the town's relationship with the City of Sturgeon Bay.

## **Monitoring of Cooperation Opportunities**

- ♦ Cooperative planning efforts with surrounding towns, the City of Sturgeon Bay, Door County, applicable agencies, and special purpose units of government should be pursued when appropriate including:
  - Cooperative land use planning along boundaries
  - Open discussion of plan and ordinance amendments and updates
  - Joint planning for overlapping jurisdiction or areas of mutual interest
  - Joint purchasing or shared use of equipment and services
- ♦ An advisory body should be appointed to establish clear goals, objectives, and expectations for the purpose of negotiating any intergovernmental agreement.
- ♦ Intergovernmental agreements will be reviewed annually for their effectiveness and efficiency.

## **Evaluation of Development Proposals**

- ♦ Review of development proposals should give consideration to intergovernmental cooperation including:
  - Impacts to relationships with neighboring municipalities
  - Impacts to provisions of intergovernmental agreements
  - Impacts to relationships with applicable agencies
  - Impacts to school districts
- ♦ Development proposals within the RS and PT land use management areas should address impacts to:
  - Public water systems
  - Public sewer systems
  - Pedestrian and bicycle routes
- ♦ The town may consider incentives to promote developments that include the creation of educational opportunities in cooperation with local school districts.
- ♦ The town should work with Door County to resolve identified conflicts in development densities in order to avoid confusion for property owners and developers and to avoid duplicate regulations.

## **Relationship with City of Sturgeon Bay**

- ♦ Joint efforts to protect groundwater and prevent contamination in the zones of contribution for municipal wells should be pursued with the City of Sturgeon Bay, the Town of Sturgeon Bay, and Sturgeon Bay Combined Utilities.

- ♦ Opportunities for coordinated implementation activities including shared administration and joint ordinance development should be pursued with the City of Sturgeon Bay, Door County, and neighboring towns.
- ♦ A logical area for city growth and annexation should be identified by the town and included as part of a growth management strategy to be discussed with the City of Sturgeon Bay.
- ♦ Opportunities for extension of sewer and water service without annexation that are mutually beneficial for the town and the city should be discussed as part of a growth management strategy with the City of Sturgeon Bay.
- ♦ Stormwater planning and management activities should be pursued jointly with the City of Sturgeon Bay in areas of mutual concern.
- ♦ Future development of the Highway 42/57 corridor including potential uses and design standards should be discussed as part of a growth management strategy with the City of Sturgeon Bay.

## **Recommendations**

1. The town should develop an intergovernmental agreement utilizing the guidance of the intergovernmental cooperation ad-hoc committee and the intergovernmental cooperation ad-hoc committee report to the plan commission (February 27, 2003).
2. The town should pursue development of a stormwater management ordinance with the City of Sturgeon Bay. The city does not currently have stormwater regulations, and areas of mutual concern could be addressed jointly (including zones of contribution for city wells and highway corridor).
3. The town should pursue the establishment of a cooperative purchase of development rights program with other public and private agency partners. A primary objective would be to permanently protect lands in the City of Sturgeon Bay's wellhead protection areas and zones of contribution.
4. The town should pursue the development of a design review ordinance with the City of Sturgeon Bay as a means to achieve compatible streetscape and building design standards along the STH 42/57 corridor.

## **7.10 Intergovernmental Cooperation Programs**

The following intergovernmental programs are available to the Town of Nasewaupee. The following list is not all-inclusive. For specific program information the program sponsor should be contacted.

### **66.0311 Intergovernmental Cooperation in Financing and Undertaking Housing Projects**

This statute allows for the issuance of bonds or obtaining other types of financing in coordination with another municipality, housing authority, development authority, or redevelopment authority. It also allows for planning, owning, constructing, operating, and contracting with respect to a housing project. Consult the statute for further information.

### **66.0315 Municipal Cooperation; Federal Rivers, Harbors or Water Resource Projects**

A county, town, city, or village may enter into an agreement with an agency of the federal government to cooperate in the construction, operation, or maintenance of any federally authorized rivers, harbors, or water resources management or control project. Refer to the statute for further information.

### **Office of Land Information Services, Municipal Boundary Review**

Municipal Boundary Review regulates the transition of unincorporated areas to city or village status through municipal annexation, incorporation, consolidation, or by joint city-village-town activities involving cooperative boundary plans and agreements. Such agreements may change territorial boundaries and may provide for the sharing of municipal services. Staff members are available upon request to meet with local officials and citizens to discuss annexation, incorporation, consolidation, and cooperative boundary plans. Contact the Wisconsin Department of Administration, Office of Land Information Services for further information.

### **Wisconsin Towns Association (WTA)**

Wisconsin Towns Association (WTA) is a non-profit, non-partisan statewide organization created under s. 60.23(14) of the Wisconsin Statutes to protect the interests of the state's 1,266 towns and to improve town government. The association is organized into six districts and is headquartered in Shawano. WTA relies on regular district meetings, an annual statewide convention, publications, participation in cooperative training programs and other means to support the goal of keeping grassroots government strong and efficient in Wisconsin.

## 8 Land Use

This element includes an inventory and analysis of existing land use; land and resource protection programs; supply, demand and price trends of land; projected supply and demand of land uses; existing development regulations; existing and potential land use conflicts; and land use trends and growth pressures.

### 8.1 Existing Land Use

The town's existing land use as of the year 2000 was inventoried as part of the planning process. The inventory began with the 1997 existing land use map of Nasewaupee developed by Bay Lake Regional Planning Commission. The tools used to update this data included aerial photo interpretation and a "windshield survey" for areas accessible by road. The land use map was then updated periodically during the three year planning process. Twenty-six general land use classifications were identified for Nasewaupee and are displayed on Map 8-1. A summary breakdown for each identified land use category is found in Table 8-1 and Figure 8-1.

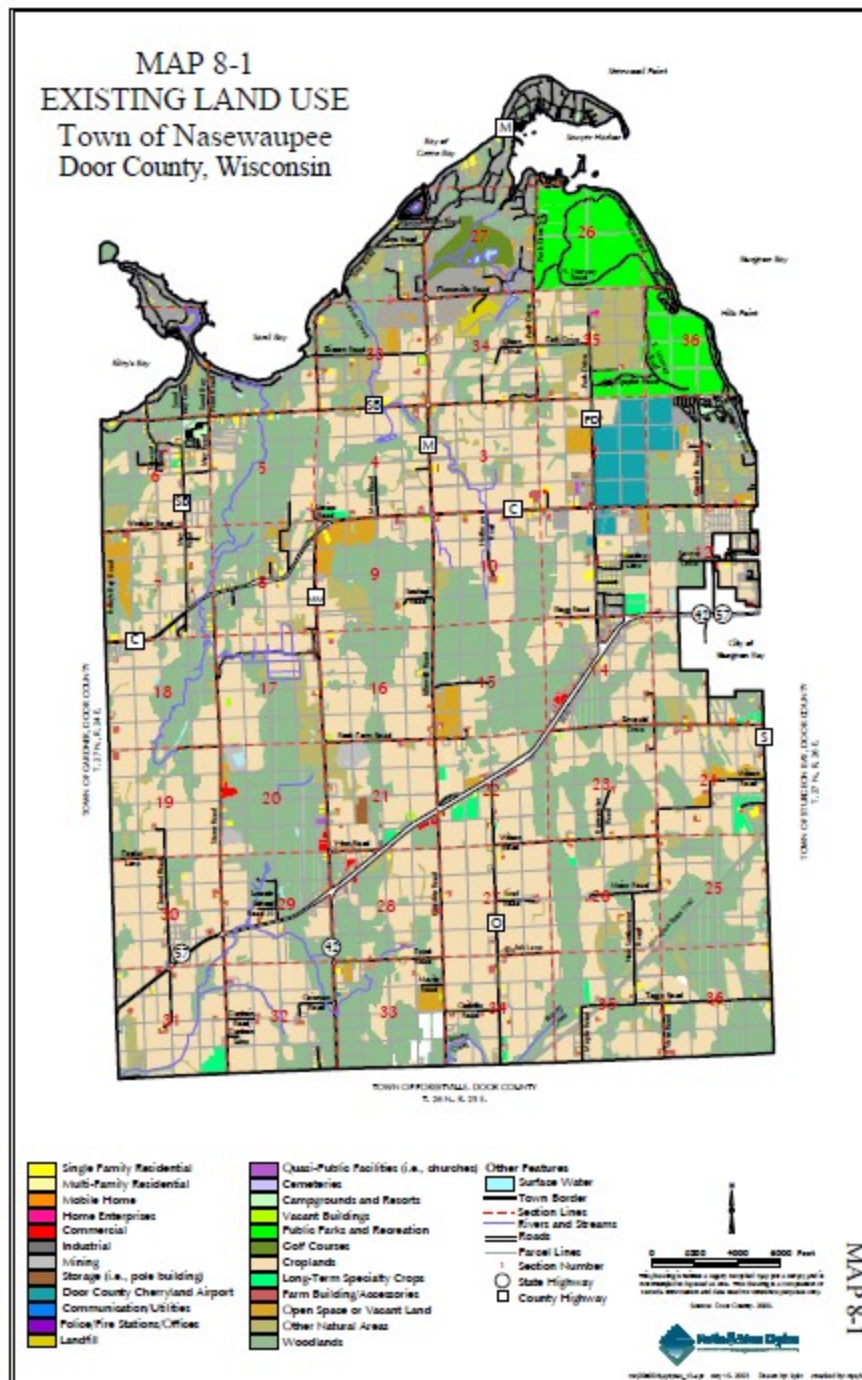
Nasewaupee's existing land use pattern is indicative of a generally rural community, but the influence of urban pressures is also readily apparent. The most predominant land uses are agriculture and woodlands. The town's agricultural uses include row crops, forage crops, dairy farms, orchards, and other specialty crops. Nasewaupee's wooded areas include both upland and wetland forests, and many of these woodlands are connected in distinct and functional habitat corridors. Notable components of the town's green space and environmental networks include Potawatomi State Park, the Niagara Escarpment, and coastal wetlands.



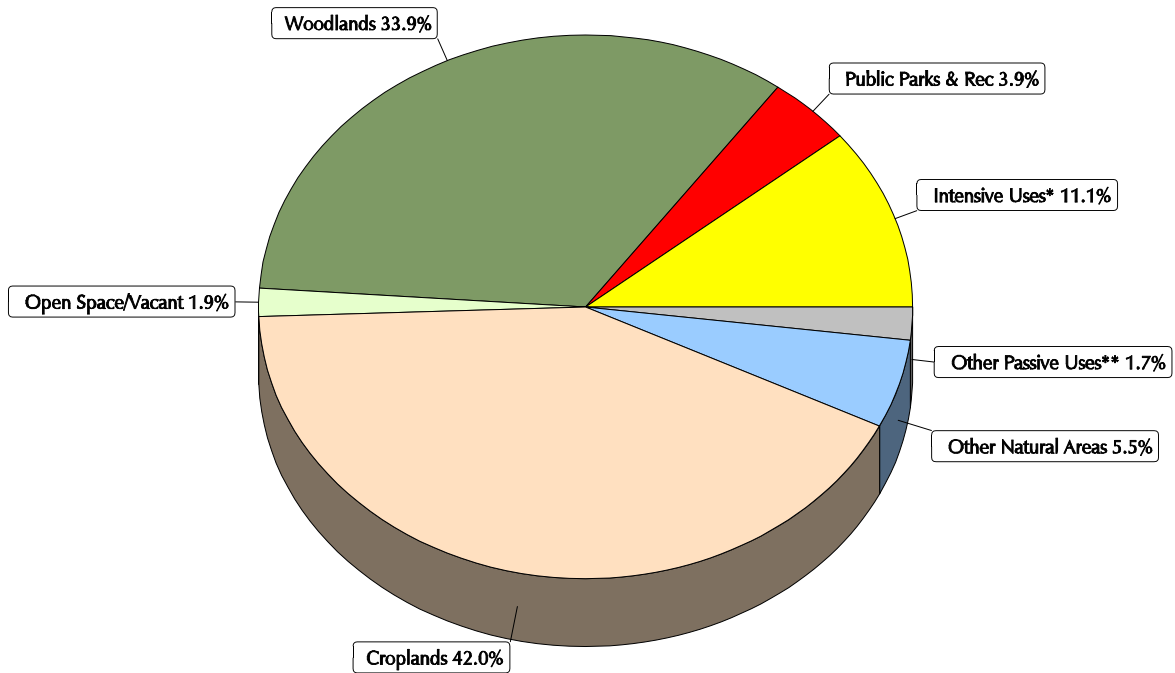
*Agricultural land use is predominant in the town.*

In contrast to this extensive resource base, the STH 42/57 corridor, shoreline areas, and border areas with the City of Sturgeon Bay each have a character of their own. These are the most intensively developed areas of the town as a result of the attractiveness of a major transportation route, a nearby vital urban area, and a highly scenic and desirable waterfront area. The areas occupied by these intensive uses are significantly smaller than the town's resource lands, yet they strongly influence the town's character and function.

## Map 8-1 Existing Land Use



**Figure 8-1**  
**Existing Land Use by Percentage of Total Acreage**  
**Town of Nasewaupée**  
**2000**



\*Intensive Uses include the following land use categories: Single Family Residential, Multi-Family Residential, Mobile Homes, Farms Buildings/Accessories, Home Enterprise, and all Commercial, Industrial, Utilities, Transportation and Government/Public/Institutional uses.

\*\*Other passive uses include the following land use categories: Golf Courses, Long-Term Specialty Crops, and Water.

Source: Bay Lake Regional Planning Commission, 1997; Foth & Van Dyke, 2000.

**Table 8-1**  
**Existing Land Use**  
**Town of Nasewaupee**  
**2000**

Land Use Category	Acreage	% of Total
<b>Intensive Land Use</b>	<b>3,106.8</b>	<b>11.1%</b>
Single Family Residential	863.1	3.1%
Multi-Family Residential	3.4	0.0%
Mobile Home	38.0	0.1%
Home Enterprise	4.3	0.0%
Farm Buildings/Accessories	280.7	1.0%
Commercial	82.1	0.3%
Industrial	15.3	0.1%
Mining	91.4	0.3%
Storage (i.e., pole building)	49.1	0.2%
Door County Cherryland Airport	397.4	1.4%
Communication/Utilities	0.8	0.0%
Landfills	64.2	0.2%
Police/Fire Stations/Offices	2.4	0.0%
Quasi-Public Facilities	12.4	0.0%
Cemeteries	7.0	0.0%
Campgrounds and Resorts	120.1	0.4%
Vacant Buildings	20.9	0.1%
Roads	1,054.2	3.8%
<b>Passive Land Use</b>	<b>24,838.6</b>	<b>88.9%</b>
Public Parks and Recreation	1,082.0	3.9%
Golf Courses	254.0	0.9%
Croplands	11,734.2	42.0%
Long-Term Specialty Crops	170.8	0.6%
Woodlands	9,468.6	33.9%
Water	57.4	0.2%
Open Space or Vacant Land	521.3	1.9%
Other Natural Areas	1,550.3	5.5%
<b>Total</b>	<b>27,945.4</b>	<b>100.0%</b>

Source: Bay Lake Regional Planning Commission, 1997; Foth & Van Dyke, 2000.

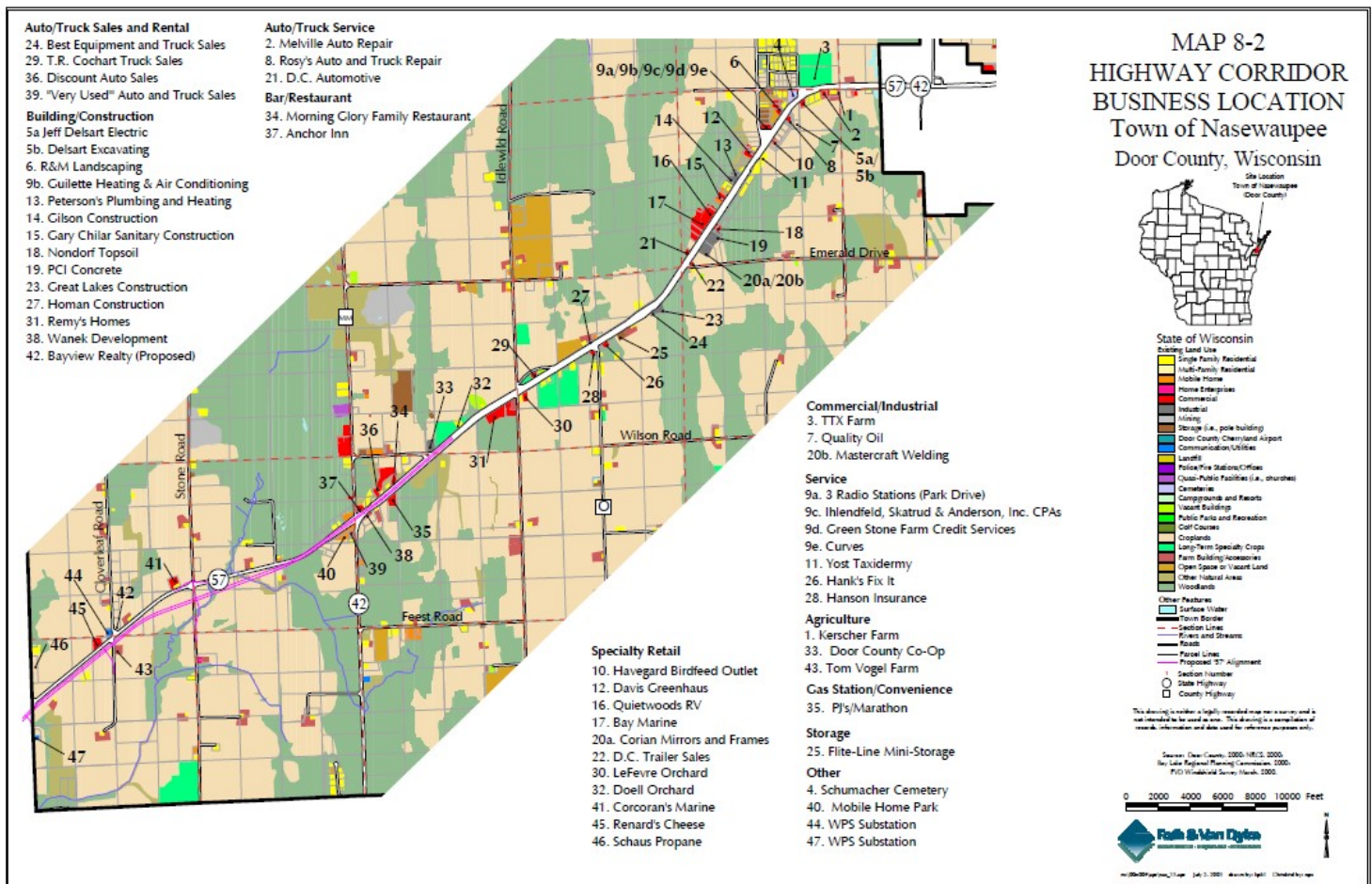
Cropped farmland and woodlands are the predominant land uses, accounting for 42% and 34% of the town, respectively. Other natural areas such as wetlands, grasslands, bluffs, and open space follow, comprising 1,550 acres or 5.5% of the town. Potawatomi State Park comprises 3.9% of the town's land area.

Intensive land uses account for 11.1% of the Town of Nasewaupee of which public roads account for 3.8%. The remaining includes single-family residential development (3.1%), farm buildings/accessories (1%), and the Door County Cherryland Airport (1.4%). Other minor intensive land uses in terms of total acreage include commercial, mining, campgrounds and resorts, storage buildings, and the county landfill.

The location and extent of residential lands influence the provision and/or need for public services and the character of a specific area. Residential land uses are found throughout the town but are most concentrated along the shoreline and near Sturgeon Bay. Nearly all of the town's residential land uses are comprised of single-family units.

The types and amount of commercial and industrial land uses influence public service needs, community character, tax base, and availability of local jobs. Commercial and industrial uses are primarily found along and near STH 42/57. This commercial strip could be referred to as the town's "Main Street" in that it is the most traveled route in the town and most visible to passing tourists. Map 8-2 displays the results of a detailed inventory of the business uses found along the STH 42/57 corridor. There are also isolated commercial and industrial areas scattered throughout the town. Industrial uses found in Nasewaupee include several mining and quarry operations. The town contains a wide assortment of commercial enterprises including: auto and truck repair/salvage services, recreation vehicle sales, mini-storage, manufactured home sales, antique sales, retail sales, and other sales/service enterprises.

SMH\Town of Nasewaupee  
July 2003



## 8.2 Land and Resource Protection Programs

The results of a community land use planning survey (November 1998) indicate strong support for preservation of the town's rural character and environmental protection. Eighty percent of respondents indicated that land use policies should place a high priority on the protection of the town's natural resources. Eighty percent of respondents indicated that wildlife habitats and natural features within the town should be identified in order to raise awareness and protect them. Eighty-three percent agreed that the quality of Nasewaupee's physical environment should be maintained.

This section identifies the impact of natural resource management and agriculture preservation programs in the Town of Nasewaupee. Public ownership and the utilization of voluntary programs by private landowners play a key role in preserving the town's rural character and resource base.

### Impact of Natural Resource Protection Programs

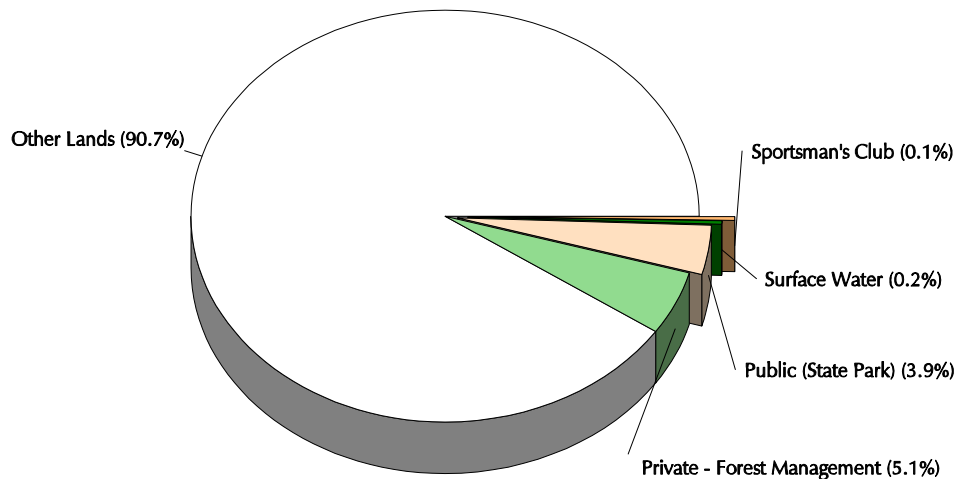
Table 8-2 and associated Figure 8-2 summarize the current use of resource protection programs within the Town of Nasewaupee through federal, state, county, town, private conservation club ownership, and private landowner participation in various land and resource management and protection programs. Map 8-3 illustrates the location of lands enrolled in the various management and protection programs.

**Table 8-2**  
**Land Impacted by Natural Resource Protection Programs**  
**Town of Nasewaupee, 2003**

Land/Resource Protection Program	Total Acreage	% of Total Acreage
<b>Public</b>	<b>1,082.0</b>	<b>3.9%</b>
Potawatomi State Park	1,082.0	3.9%
<b>Private - Management Programs</b>	<b>1,434.8</b>	<b>5.1%</b>
Agriculture Programs	Varies	-----
Managed Forest Law (Open)	75.0	0.3%
Managed Forest Law (Closed)	1,159.8	4.2%
Forest Crop Law	200.0	0.7%
<b>Conservation/Recreation Organizations</b>	<b>33.6</b>	<b>0.1%</b>
Door Co. Fish & Game Club	33.6	0.1%
<b>Surface Water/Roads</b>	<b>57.4</b>	<b>0.2%</b>
<b>Other Lands</b>	<b>25,337.6</b>	<b>90.7%</b>
<b>Total</b>	<b>27,945.4</b>	<b>100.0%</b>

Source: Door County Land Conservation Department; WDNR Forest Tax Unit, 2002; Town of Nasewaupee Existing Land Use Inventory, 2000.

**Figure 8-2**  
**Impact of Land/Resource Protection Programs**  
**Town of Nasewaupée, 2003**



Source: Door County Land Conservation Department; WDNR Forest Tax Unit, 2002; Town of Nasewaupée Existing Land Use Inventory, 2000.

Approximately 9% of the Town of Nasewaupée is protected through public ownership, sportsman's clubs or through the enrollment of private lands in resource management programs. The largest land areas managed for resource protection are Potawatomi State Park and private lands enrolled in Wisconsin forest management programs. Enrollment in agriculture related programs has also taken place in Nasewaupée. A description of the various natural resource protection programs available to private landowners is provided in the *Agricultural, Natural, and Cultural Resources* Element and in Section 8.9 (Open Space Preservation Options).

There are a number of programs which private landowners and local governments can participate in to preserve farmland and natural resources. The following enrollment trends highlight the landowners in these programs. The land impacted by public or non-profit ownership within the town is also described below.

### **1. Voluntary Resource Management**

As of 2000, approximately 674.5 acres of land in Nasewaupée were enrolled in the Wisconsin Farmland Preservation program through individual landowner contracts with the state.

In 1999, approximately 900.7 acres of land in Nasewaupee were enrolled in the federal Conservation Reserve Program, comprising 10.4% of the total land enrolled in the program throughout the county. Enrollment in the Conservation Reserve Program varies widely from one year to the next.

Approximately 1235 acres of land in Nasewaupee are enrolled in the Managed Forest Law Program as of 2003, including 1160 acres which are closed to public access, and 75 acres which are open to public access. All contracts were for 25 year durations with the earliest expiring in 2012 and the latest in 2028.

Two hundred acres are enrolled in the Forest Crop Law Program, with the earliest contracts expiring in the year 2008 and the latest in the year 2016.

## **2. Conservation/Recreation Organization Ownership**

### **Private Sportsmen's Clubs**

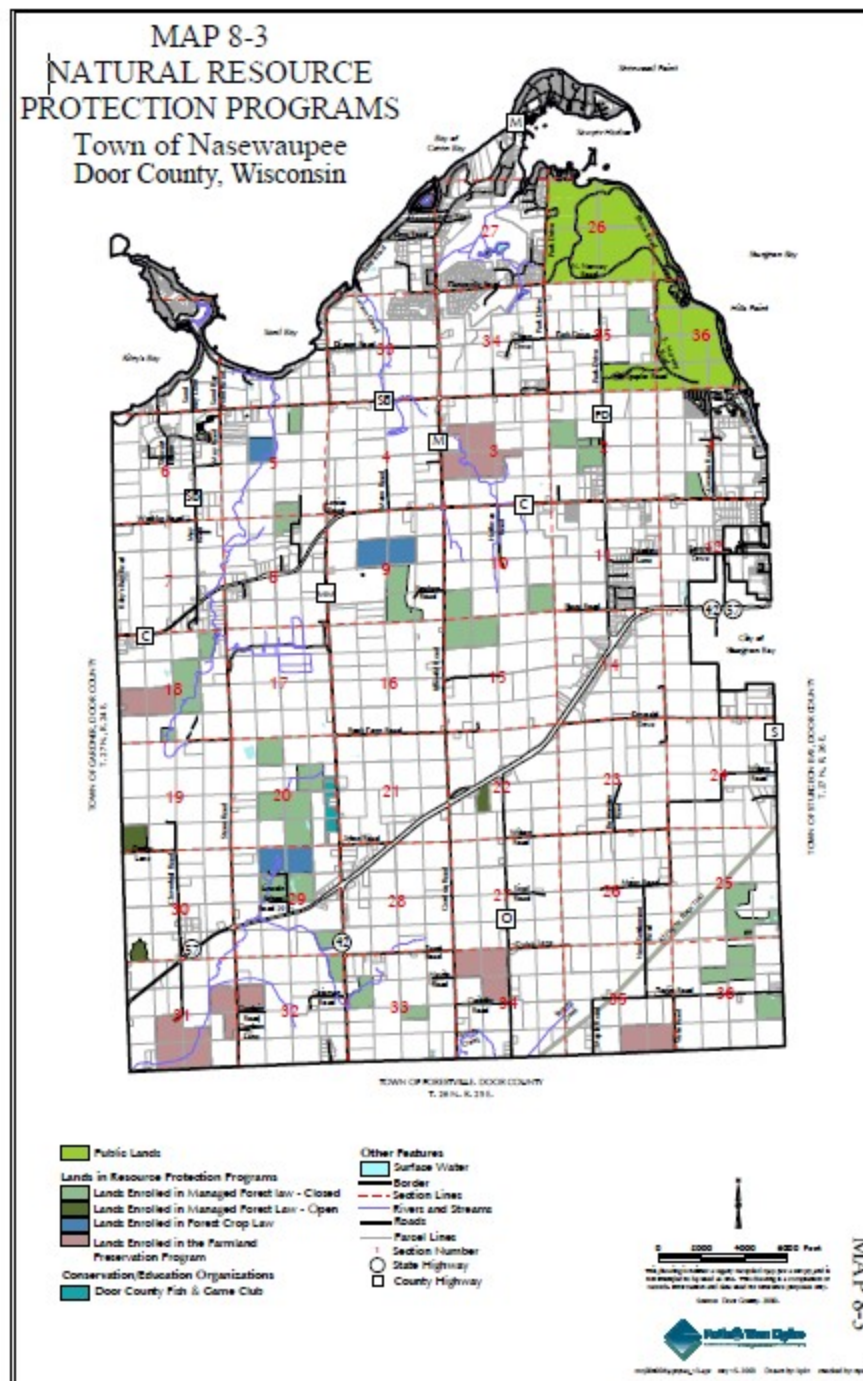
The Door County Fish & Game Club comprises approximately 34 acres in Nasewaupee. This property is primarily open space and is located in the central portion of the town along CTH MM north of the intersection with STH 42/57.

## **3. Public Ownership**

### **Potawatomi State Park**

The State of Wisconsin Department of Natural Resources owns and manages approximately 1,080 acres in the town as the Potawatomi State Park. More information on this park is provided in the *Utilities and Community Facilities* Element.

## Map 8-3 Natural Resource Protection Programs



### 8.3 Supply, Demand, and Price Trends of Land

The supply of land available in the Town of Nasewaupee can be derived from the existing land use inventory and water features data. The analysis in Table 8-3 shows that there are approximately 17,000 acres of land available for future development.

**Table 8-3**  
**Land Supply Based on Existing Land Use Inventory**  
**Town of Nasewaupee**

Land Use Categories	Acreage	% of Total
Developed Lands <sup>1</sup>	4,442.8	15.9%
Undevelopable Lands <sup>2</sup>	6,371.5	22.8%
Developable Lands <sup>3</sup>	17,131.1	61.3%
Total	27,945.4	100.0%

1. Developed lands include all intensive land uses, golf courses, and parks and recreation.
2. Undevelopable lands include water, wetlands and floodplains.
3. Developable lands include all lands not categorized as developed or undevelopable.

Evaluation of the sale of agricultural and forest property provides valuable information on land supply, demand, and price trends. The demand for land and the resulting sales create pressure for land use change as new land owners have specific ideas on how they want to use the property. Agricultural and forest lands generally sell for a higher price when sold for uses other than continued agriculture or forestry. Published data on the sale of agricultural and forest lands have shown this to be a relatively consistent state-wide trend over the last decade.

However, recent data for the Town of Nasewaupee (shown in Table 8-4 and 8-5) do not seem to follow the state-wide trends. The sale of agricultural lands for other uses reached a peak in 2000 and has since declined in both dollars per acre and total acres sold. Nasewaupee data also show that the sale of forest land for continued forest use has outpaced the sale of forest land for conversion to other uses. These short term trends may be the result of the current downturn in the economy and should be monitored throughout the planning period. This may also reflect that individuals purchasing forest and agricultural land locally place a higher value on their continued forestry and agricultural uses than in other locations across the State of Wisconsin.

**Table 8-4**  
**Agricultural Land Sales**  
**Door County**  
**1998-2002**

	1998	1999	2000	2001	2002	# Change 1998- 2002	% Change 1998- 2002
<b>Ag Land Continuing in Ag Use</b>							
Number of Transactions	29	22	10	13	10	-19	-65.5%
Acres Sold	1,224	1,022	453	625	508	-716	-58.5%
Dollars per Acre	\$1,607	\$1,642	\$1,956	\$2,116	\$2,528	\$921	57.3%
<b>Ag Land Being Diverted to Other Uses</b>							
Number of Transactions	12	12	22	13	7	-5	-41.7%
Acres Sold	625	549	804	386	543	-82	-13.1%
Dollars per Acre	\$3,686	\$3,206	\$4,085	\$2,142	\$2,670	\$-1,016	-27.6%
<b>Total of All Ag Land</b>							
Number of Transactions	41	34	32	26	17	-24	-58.5%
Acres Sold	1,849	1,571	1,257	1,011	1,051	-798	-43.2%
Dollars per Acre	\$2,309	\$2,189	\$3,318	\$2,126	\$2,601	\$292	12.6%

Source: Wisconsin Agricultural Statistics Service, Agricultural Land Sales, 1998-2002.

**Table 8-5  
Forest Land Sales  
Door County  
1998-2001**

	1998	1999	2000	2001	# Change 1998-2001	% Change 1998-2001
Forest Land Continuing in Forest Land						
Number of Transactions	32	10	13	12	-20	-62.5%
Acres Sold	906	195	361	276	-630	-69.5%
Dollars per Acre	\$1,222	\$1,405	\$1,503	\$3,245	\$2,023	165.5%
Forest Land Being Diverted to Other Uses						
Number of Transactions	12	11	16	15	3	25.0%
Acres Sold	228	137	285	347	119	52.2%
Dollars per Acre	\$2,014	\$2,477	\$2,511	\$2,864	\$850	42.2%
Total of All Forest Land						
Number of Transactions	44	21	29	27	-17	-38.6%
Acres Sold	1,134	332	646	623	-511	-45.1%
Dollars per Acre	\$1,381	\$1,848	\$1,948	\$3,033	\$1,652	119.6%

Source: Wisconsin Agricultural Statistics Service, Forest Land Sales, 1998-2001.

## 8.4 Projected Supply and Demand of Land Uses Over the Planning Period

Table 8-6 reports the estimated total acreage that will be utilized by residential, commercial/industrial, institutional, and agricultural land uses for five year increments throughout the planning period. These future land use demands are largely dependent upon population increases as well as a number of other factors.

**Table 8-6**  
**Projected Land Use Demand (acres)**  
**Town of Nasewaupee**  
**2000-2025**

Year	Residential	Commercial/Industrial	Institutional	Agricultural
2000	904.5	631.4	420.0	12,785
2005	921.9	643.5	428.1	12,619
2010	939.3	655.7	436.1	12,455
2015	957.1	668.1	444.4	12,293
2020	975.5	681.0	453.0	12,133
2025	994.3	694.1	461.7	11,975
Change	+89.8	+62.7	+41.7	-810

Residential includes: single and multi-family residential, and mobile home.

Commercial/Industrial includes: home enterprise, commercial, industrial, mining, landfill, campgrounds and resorts, and golf courses.

Institutional includes: government/public and quasi-public facilities, airport, and cemetery.

Agricultural includes: cropland, open space/vacant land, and farm buildings/accessories.

Year 2000 acreage figures are derived from the existing land use inventory (Table 8-1) Projected year 2005-2025 acreage calculations are derived from the linear trend population projections (Figure 1-6 found in the *Issues and Opportunities* Element).

Projected demand for residential, commercial/industrial, and institutional land assume that the ratio of the town's 2000 population to the current land area in each use will remain the same in the future. In other words, each person will require the same amount of land for residential use in the future as today. Several growth factors present in the town are also likely to influence land use demand. The expansion STH 57 to four lanes could lead to even greater increases in residential, commercial, industrial, and institutional development. Annexation of property by the City of Sturgeon Bay could potentially decrease the rate of growth in all four categories of future land use.

The projected decline in agricultural land use is based on Door County trends from 1992 to 1997. Data from the 1997 Census of Agriculture show that farmland decreased by approximately 1.3% per year from 1992 to 1997. Therefore, the projected acreage of agricultural land use assumes this rate of decline will continue. Based on this assessment, the town will experience a net loss of the indicated land uses. This can likely be accounted for in the growing use of forested and open space property for recreational purposes.

## **8.5 Development Regulations**

The Town of Nasewaupee, Door County, and the State of Wisconsin all have land use and development regulations that currently apply in the town. These codes were analyzed during the planning process, and a general description of these land use controls can be found in Appendix A. For more information, the applicable ordinance must be consulted.

Existing Town of Nasewaupee codes and ordinances related to land use include regulations that deal with:

- ♦ House Trailers (campers, recreational vehicles)
- ♦ Establishing a Bulkhead Line
- ♦ Holding Tanks
- ♦ Off-Premise Signs
- ♦ Transportation and Deposit of Construction and Demolition Waste
- ♦ Mining and Quarrying
- ♦ Private Driveways
- ♦ Building Codes

Existing Door County Ordinances related to land use that are applicable to the Town of Nasewaupee in some capacity include:

- ♦ Zoning Ordinance
- ♦ Land Division Ordinance
- ♦ Floodplain Zoning Ordinance
- ♦ Communication Tower Ordinance
- ♦ Height Limitation Zoning Ordinance
- ♦ Door County Wind Energy Systems Ordinance
- ♦ Private Onsite Wastewater Treatment Systems Code
- ♦ Nonmetallic Mining Reclamation Ordinance
- ♦ Door County Animal Waste Storage Facility Ordinance
- ♦ Servicing of Holding Tanks and Septic Tanks
- ♦ Nuisance Ordinance

Numerous State of Wisconsin land use codes have jurisdiction in towns. The state codes most commonly applied in Nasewaupée include:

- ♦ Wisconsin Statutes Chapter 236, Platting Lands and Recording and Vacating Plats
- ♦ Wisconsin Administrative Code Chapter Trans 233, Division of Land Abutting a State Trunk Highway or Connecting Highway

## **8.6 Existing and Potential Land Use Conflicts**

Potential land use conflicts have been identified in the Town of Nasewaupée relative to the locations of existing land uses and relative to existing zoning districts. Conflicts between existing uses stem from real or perceived negative impacts between properties in close proximity to one another. These impacts could include noise, odors, traffic, visual impacts, air quality impacts, or water quality impacts, to name just a few. Conflicts may also arise in Nasewaupée due to differences between the planned Land Use Management Areas and the zoning districts that will remain in place through Door County Shoreland Zoning authority. These are zones within 300 feet of rivers and streams and within 1000 feet of lakes, ponds, and flowages that require county regulation (see Map A-1, Shoreland Zoning and Preferred Land Use). These shoreland zones not only establish dimensional standards for lots and structures, but they also carry an underlying zoning district that lists permitted and prohibited land uses.

### **Existing Use Conflicts**

- ♦ A considerable amount of residential development has occurred adjacent to cropped farmland and farms. This type of development raises concerns for maintaining the right-to-farm in the community.
- ♦ The uncontrolled growth of business, light industrial, and residential development along STH 42/57 raises a concern for land use conflicts and diminishing rural character. Planning for commercial and industrial growth areas and implementing design review standards for new business development can help to minimize conflicts and may even increase economic development opportunities by providing more predictability to prospective businesses.
- ♦ Maintaining farmland, woodlands, and wetlands is a top community priority in Nasewaupée. However, the RCC (Rural Character Conservation) and NF (Natural Features) development densities alone will not protect these features. The density policies selected for RCC and NF could produce an undesirable pattern of land use unless the clustering provision becomes the preferred option. For example, the typical one to five-acre lot in a conventional rural housing development will seem “rural” only so long as it borders farmland, woodland and other open space. However this is “borrowed” open space, temporary in nature. When those abutting properties are also developed for home sites, the

surroundings will become suburban in character. In order to avoid this, the use of clustering must include:

- Reasonably sized cluster groups, and
  - Cluster groups surrounded by permanently preserved open space.
- ◆ Home-based businesses are becoming more common as communication and information technologies continue to advance. Generally, home-based businesses are an asset to a community and are appropriate in a rural area, but care must be taken to ensure that appropriate monitoring of these sites takes place. If home-based businesses expand beyond their original intent and begin to have an outward appearance over time, then the potential for conflicts will increase.

### **Potential Conflicts with Shoreland Zoning**

- ◆ Developments within the RCC management area will need to be coordinated with Door County in locations where the General Agriculture zone is present in the shoreland. This county zoning district requires a 20 acre minimum lot size, which is more restrictive than the town's preferred density.
- ◆ Portions of the shoreland zone within the NF management area are zoned Single Family Residential with a minimum lot size of 20,000 square feet. The town's preferred density is more restrictive with a 1.5 acre minimum lot size and one unit per 10 acre maximum density. This includes a small area north of the outlet of Larson Creek and an area northwest of the City of Sturgeon Bay along Duluth Avenue.
- ◆ Most of the RP management area is outside of the shoreland zone, but significant portions are zoned Recreational Commercial. This county zoning district has a minimum lot size of 20,000 square feet. Developments within the RP must be coordinated between Door County and the town, as the town's preferred density would only allow lots under one acre with clustering and the use of group septic systems or public sewer.
- ◆ Developments within the RBS area must be coordinated between Door County and the town, as the town has selected densities and minimum lot sizes that are



*Shoreland areas in Nasewaupee.*

generally more restrictive than shoreland zoning. Existing zoning within the RBS includes Single Family Residential, High Density Residential, and Recreational Commercial. These all allow 20,000 square foot lots, while the town's preferred lot size is at least 40,000 square feet.

- ♦ Shoreland zoning within the RS management area includes Single Family Residential with a minimum lot size of 20,000 square feet. The town's density policy for the RS would only allow 20,000 square foot lots with clustering and a group septic system or with public sewer. In the absence of these measures, 30,000 square foot lots are preferred.
- ♦ The town's desire is that future growth within the PT management area will be addressed through intergovernmental cooperation with the City of Sturgeon Bay. The town has selected its lowest development density option for this area. However, a significant area of shoreland zoning exists surrounding an unnamed pond just beyond the city limits. This shoreland area contains some wetlands, some Rural Residential zoning (40,000 square foot minimum lot), and is primarily zoned General Agriculture (20 acre minimum lot size). Intergovernmental cooperation efforts regarding this area will not only need to include the city, but Door County as well.

## **8.7 Land Use Trends and Growth Pressures**

The following land use trends and predictions were developed based partly on the analysis of the background data which was presented in the other elements of this report. Other predictions are based on local, regional, or statewide trends. These trends and growth pressures identify situations that are likely to be experienced within Nasewaupée over the next 20 to 25 years. These trends should be viewed as the forces that the town must be prepared to address throughout the life of this comprehensive plan.

### **Population and Housing**

Based on past averages and projections, growth rates are not expected to be high. However, highway impacts may accelerate growth beyond projections.

The desire by the public to live in rural settings in conjunction with short commuting times to urban centers will make the area an attractive place for residential development.

Amendments to the Wisconsin private onsite wastewater treatment system code (Comm 83) could improve the opportunity to site and serve existing and future residential development clusters.

Person per household figures will continue to decline meaning proportionately more housing units will be required to accommodate growing populations (i.e., fewer people will be living in each housing unit).

Increased demand for services and housing related to the aging population will occur over the next 25 years.

### **Agricultural Land and Open Space**

Farm consolidation will be experienced in the town, resulting in fewer, but larger farms, and the potential for large scale feedlot and dairy operations will increase due to the current economic conditions of farming.

Recreational property demands will continue to increase, placing higher values on woodland and wetland areas.

The prices of land for recreational uses will outpace the price of land continuing in agriculture.

There will be growing public support for the utilization of conservation subdivision design as a means to preserve farmland and rural character.

### **Community Facilities and Services**

Additional development will increase the demand for local services such as fire, police, emergency rescue, recycling, and solid waste.

Traffic volumes have increased steadily along STH 42/57 and along portions of CTH PD, and this trend is likely to continue.

The town will continue to experience increased traffic volumes on many local, county, and state roads which will in turn require additional road maintenance and construction costs.

Multi-use trails and outdoor recreation opportunities will be developed to accommodate increased demands.

The demand for “state of the art” emergency rescue services will increase, resulting in local budget impacts.

Town residents will demand improved local government efficiency meaning continued quality service for the lowest possible cost.

### **Economic Development**

Commercial development demands are anticipated along the STH 42/57 corridor.

Recreation and tourism will continue to play a major role in the local and regional economy.

### **Public Administration**

Expect increased county/state/federal involvement in land use planning and development.

Intergovernmental cooperation will become increasingly important as a means to control costs and create efficiencies in public purchases and service delivery.

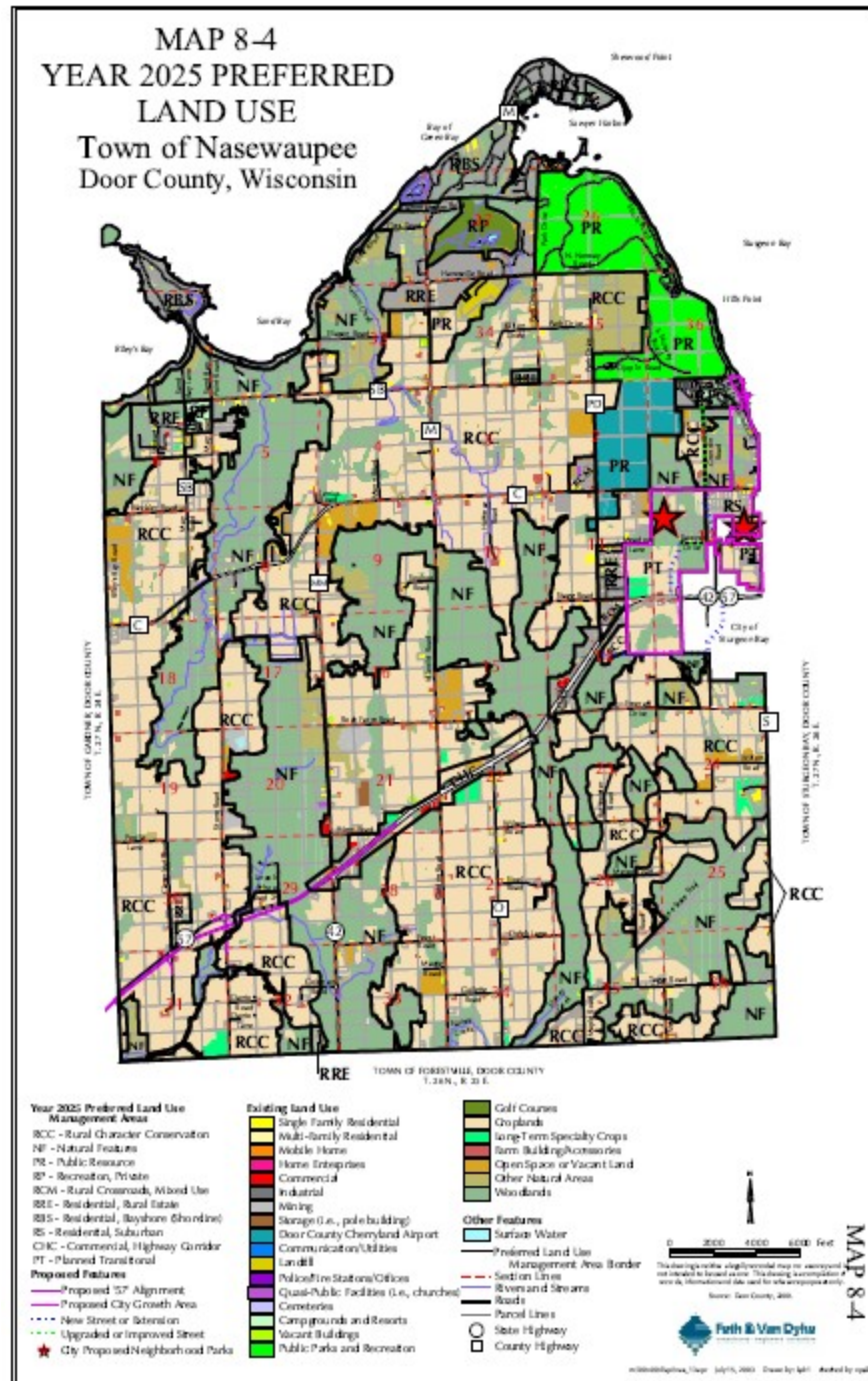
## **8.8 Land Use Plan**

The land use plan is one of the primary components of the comprehensive plan that can be used as a guide for local officials when considering the future development of the town. The plan is long-range and will need to be reevaluated periodically to ensure that it remains consistent with changing trends and conditions. Major components of the land use plan include Map 8-4 (Year 2025 Preferred Land Use), the preferred land use management area definitions and densities (Section 8.9), open space preservation options (Section 8.10), and the recommended land use performance criteria for proposed developments (Section 8.11). “Smart Growth Areas” have also been identified to fulfill the requirements of the Wisconsin Department of Administration Comprehensive Planning Grant.

## **8.9 Preferred Land Use Management Areas**

The Town of Nasewaupee’s desired pattern of future land use is depicted by the arrangement of its preferred land use management areas (LUMA’s). The preferred land use management areas have been mapped to identify areas of similar character, use, and density. The management areas establish the town’s vision and intent for the future through their descriptions and related objectives. These management areas are not zoning districts, as they do not legally establish allowed and prohibited uses or set performance criteria for land uses. Such regulations must be codified by ordinance before they become law. However, the town has developed recommendations for development densities, minimum lot sizes, and development review criteria that provide very specific guidance for possible future land use codes and regulations.

## Map 8-4 Year 2025 Preferred Land Use



**Table 8-7**  
**Year 2025 Preferred Land Use**  
**Town of Nasewaupee**

Land Use Management Area		Approximate Total Area (Acres)	Percent of Total
Rural Character Conservation	RCC	14,428	51.6%
Natural Features	NF	8,186	29.3%
Public Resource	PR	1,648	5.9%
Private Recreation	RP	340	1.2%
Rural Crossroads Mixed Use	RCM	75	0.3%
Residential Rural Estate	RRE	872	3.1%
Residential Bayshore	RBS	1,130	4.0%
Residential Suburban	RS	251	0.9%
Commercial Highway Corridor	CHC	410	1.5%
Planned Transition	PT	605	2.2%
<b>Total</b>		<b>27,945</b>	<b>100%</b>

Table 8-7 displays the proportionate distribution of the land use management areas across the Nasewaupee landscape.

### **Rural Character Conservation (RCC)**

This management area is intended for sustained agricultural production due to the presence of prime and locally significant farmland. The RCC undeveloped features include cropped and vacant fields intermixed with fragmented woodlands, grasslands, and shrub areas. Although farming is the primary use, the RCC accommodates and is used for hunting, tourism, and general visual appeal as farming is often associated with "rural character". Developed features include active commercial and hobby type farmsteads intermixed with scattered and clustered non-farm single family residences. The RCC also includes several quarries and small businesses. A significant portion of the ownership within the RCC management area is not fragmented (i.e., large contiguous parcels are still common).

The intent of the RCC is to continue to maintain the area's rural appeal and farming tradition. The farming culture should continue to be a significant component of the RCC. Future development within the RCC will need to maintain the very features which attracted new development in the first place. Commercial farming, cluster housing with deeded open space, hobby-type farming, and very low residential density development which maintains rural features are considered "compatible" within the RCC area. Unfortunately, the future of continued commercial type farming does not look promising for existing farmers within the RCC. If the interest in commercial farming continues to decline, land within the RCC will face significant challenges due to a struggling agricultural economy and farmer retirement. To uphold the functionality of the RCC as a means to preserve agricultural land for the purpose of food and fiber production in conjunction with the preservation of the area's rural character, the following objectives should be maintained.

### **RCC Objectives**

1. Provide incentives for agriculture as a strong component of the economy and employment base.
2. Protect agricultural land from non-farm related development and encourage its use for agriculture.
3. Appropriately site development in order to ensure that growth is compatible with the continued use of the adjacent land for agricultural production.
4. Allow for farm expansion.
5. Allow for the opportunity to accommodate creative and less conventional forms of agriculture such as organic and hobby-type farming.
6. Retain continuous tracts of undeveloped woodlands, habitats, and open spaces which support the intent of the RCC area.
7. Avoid land use conflicts between new residential development and existing agricultural and recreational uses.
8. Appropriately site development in order to conserve agricultural land, natural features, and open spaces.
9. Preserve scenic views and vistas.
10. Avoid uniform residential lot sizes and patterns over large areas which diminish rural character and the ability to conduct traditional activities such as farming and hunting.

11. Encourage development proposals which promote conservation design and clustered housing with open space and farmland preservation as a key component.
12. Pursue programs, funds, and creative preservation techniques such as the Purchase of Development Rights which will encourage farmers and land owners both financially and emotionally to keep their land in agricultural production, forestry, and permanent open space.

### **RCC Density**

Density within the RCC areas should not exceed one unit per 10 acres with a minimum lot size of 1.5 acres. A density of two units per 10 acres should be allowed when lots are clustered. Lots in a cluster development must be no larger than 2 acres. Homes existing before the adoption of the density control ordinance are not counted toward the allowed number of units.

### **Natural Features (NF)**

The NF management area includes the town's largest and most significant natural features. The primary intent of this management area is to retain larger tracts of natural areas in either public or private ownership to the benefit of fish and wildlife habitats, water quality, and outdoor recreation opportunities. The NF management area consists primarily of large (80 acres or greater) forested wetland complexes and adjacent upland forest and wildlife areas. A majority of the NF is undeveloped, although some scattered residential and agricultural uses occur within the borders of the identified areas. The NF management area represents a key ingredient of the rural character and image that residents and visitors have come to expect in southern Door County communities.

### **NF Objectives**

1. Avoid or limit fragmentation and isolation of remaining town natural areas and corridors.
2. Maintain and enhance plant and animal communities and habitat.
3. Provide opportunities for outdoor recreational pursuits such as hunting, trapping, mushroom/berry and nut collecting, wildlife viewing, and hiking.
4. Allow for the unobstructed movement of natural systems such as surface water, aquatic organisms, fish, and wildlife.
5. Allow for the opportunity to engage in large scale managed forestry practices such as logging and habitat management.

6. Reduce noise and glare intrusion.
7. Pursue programs, funds, and creative preservation techniques which will encourage land owners both financially and emotionally to keep their land in forestry and permanent open space.
8. Natural resource dependant development proposals should only be approved if they promote conservation design and remediation of natural environments.

### **NF Density**

Density within the NF areas should not exceed one unit per 10 acres with a minimum lot size of 1.5 acres. A density of two units per 10 acres should be allowed when lots are clustered. Lots in a cluster development must be no larger than 2 acres. Homes existing before the adoption of the density control ordinance are not counted toward the allowed number of units.

### **Planned Transitional (PT)**

The PT Management Area is located along the HWY 42/57 corridor immediately adjacent the City of Sturgeon Bay's west corporate limits. The PT area boundaries coincide with the proposed city growth area developed by the intergovernmental cooperation ad-hoc committee. A portion of the area has already been designated for commercial expansion and single family residential development according to the City of Sturgeon Bay Comprehensive Plan(adopted February, 2001). The area will likely receive tremendous development pressure over the planning period due to the area's location adjacent to the City and visibility along the highway corridor.

Since the area will likely receive pressure to accommodate a mix of uses, the need to properly "plan" the area holistically becomes even more important. Hence, development proposals within the PT should incorporate discussion on the impacts on the entire PT area. Planned unit developments are favorable. Piecemeal developments within the PT should be discouraged. The primary goal of the PT is to accommodate development consistent with the conditions of approval. The PT area should also be addressed through an intergovernmental agreement between the City of Sturgeon Bay and the Town of Nasewaupée. The agreement should address more details relative to specific uses, densities, and appearance standards. The agreement should also address service issues including the need for public water and sewer which the area should ultimately receive.

### **PT Objectives**

1. Discourage development proposed on a site by site "piecemeal" basis and encourage Planned Unit Developments which address the opportunities and impacts to the entire PT management area.

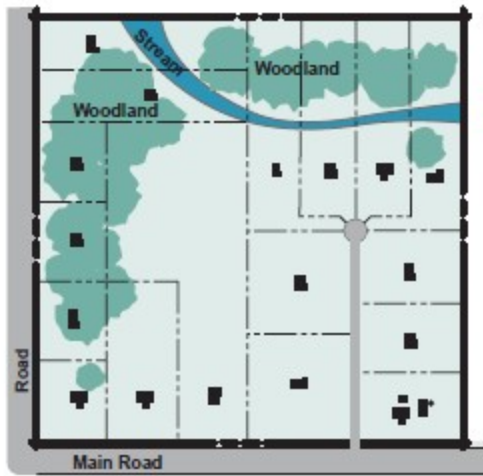
2. Develop an Official Map for the PT management area to ensure an internal collector street ROW is preserved to accommodate future development.
3. Execute the development of an intermunicipal agreement with the City of Sturgeon Bay to address use, density, appearance, utility, and government service requirements.
4. Avoid excessive access points.
5. Promote buffering, screening, and landscaping for all new development.
6. Discourage excessive signage and lighting.

**PT Density**

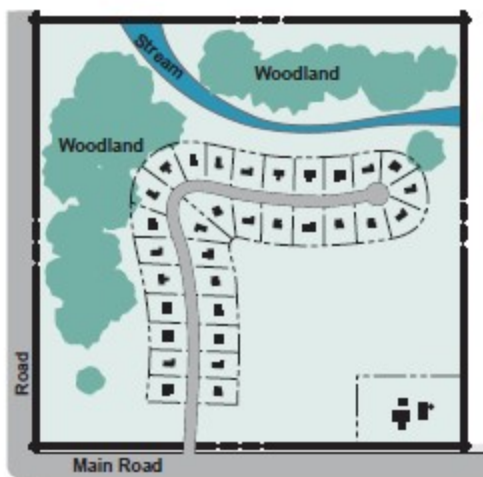
Density within the PT areas should not exceed one unit per 10 acres with a minimum lot size of 1.5 acres. A density of two units per 10 acres should be allowed when lots are clustered. Lots in a cluster development must be no larger than 2 acres. Homes existing before the adoption of the density control ordinance are not counted toward the allowed number of units.

## Insert Density Graphic

### RCC, NF, and PT Recommended Density Scenario Medium Density with Lot Size Flexibility



◆ 16 Additional Units



◆ 32 Additional Units

- ◆ Density Standard: One Additional Unit Per 10 Acres
- ◆ Minimum Lot Size: 1.5 Acres
- ◆ Maximum Lot Size: 2 Acres (Only When Clustering)
- ◆ Clustering Incentive: Yes (Two Homes Per 10 Acres)
- ◆ 160 Acres Shown



## **Residential - Rural Estate (RRE)**

The RRE management area consists of land which has been platted or parceled at a medium to low residential density. Agricultural activity is basically non-existent, and the connection to agriculture and rural character has been lost. The primary goal of this area is to maintain and accommodate high quality single family residential development. A significant number of vacant lots still exist to accommodate additional development. Business development is discouraged. Property owners will be expected to keep properties adequately maintained with no public nuisances. Property owners are responsible for providing their own water and sanitary service through on-site systems and wells, as public sewer and water service is not available at this time. Density should be managed to allow adequate space for replacement of private on-site sewage systems. Densities should also stay in character with existing developments within the RRE. Re-platting scenarios within the RRE which meet RRE objectives shall also be entertained.

### **RRE Objectives**

1. Provide for preferred areas to accommodate future residential growth in order to minimize adverse impacts on agriculture, maintain the town's rural character and maximize the efficiency and provision of services.
2. Encourage single family residential in-fill of existing parcels within the RRE over creation of new residential parcels outside of the RRE.
3. Restrict commercial and/or industrial type developments.
4. Encourage protective covenants which ensure quality residential environments.
5. Establish the RRE as a potential "receiving area" for the transfer of development rights from the NF and RCC management areas.

### **RRE Density**

Lands within the RRE should be developed on lots no smaller than one acre.

## Insert Density Graphic

### RRE Recommended Density Scenario Rural Residential



- ◆ Minimum Lot Size:  
One Acre
- ◆ Maximum Lot Size:  
None
- ◆ Clustering Incentive: No  
(Voluntary Only)
- ◆ 40 Acres Shown

- ◆ 40 Potential Units
- ◆ 17 Units Shown



## **Residential - Bayshore (Shoreline) (RBS)**

The RBS management area consists primarily of single family residential development (both seasonal and permanent) along the Bay of Green Bay including Riley's Bay, Sand Bay, Sherwood Point, Sawyer Harbor, and Cabot Point. Most of the shoreline parcels have been developed while many off-water parcels are still vacant. Although residential densities are significant within the RBS, no public water or sewer service is available. All water and sewer needs are provided by private on-site systems. The RBS is also home to several resorts.

Properties within the RBS should be developed and improved to minimize impacts on the natural shoreline aesthetics, water quality, fish and wildlife habitat, and other public natural resource values of the bayshore. Property owners should be encouraged to go "beyond" the minimum restrictions by increasing the setback distance of new structures, minimizing the amount of impermeable surfaces (roof, pavement) to limit runoff, and minimizing shoreline vegetation clearing. Other uses of these properties should be limited to protect the high property values of these bay residences.

Existing resorts and commercial activities would continue to be intermixed with the seasonal and permanent residences. New developments and improvements should be developed in such a way as to minimize their aesthetic and other impacts on both the adjacent properties and the bay itself. Consideration and study should be given to the feasibility of public sewer to the RBS for the long term protection of the bay's water quality. Existing and future developments will minimize erosion, preserve natural shoreline aesthetics, and prevent impairment of fish and wildlife habitats. Some conversion of use from existing commercial resort(s) to residential is anticipated.

### **RBS Objectives**

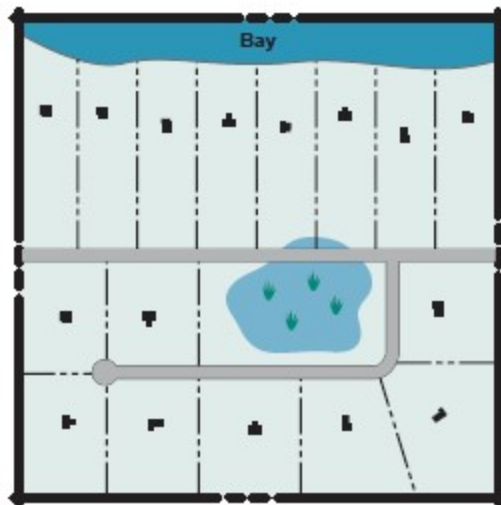
1. Maintain the high quality residential character of the RBS.
2. Encourage residential in-fill of existing lots within the RBS over creation of new lots.
3. Encourage and provide points of public access to the shoreline and waterfront.
4. Preserve natural vegetation, particularly along the shore and public right-of-ways, through the use of buffer strips, shoreline cutting provisions, and woodland protection measures.
5. Allow for residential developments that are compatible with existing development.
6. Require adequate lot sizes based upon existing development patterns, suitability for on-site septic systems, and likelihood of future public sewer extensions.
7. Avoid additional commercial uses, other than home occupations, in the currently developed areas, but allow existing resorts to remain.

### **RBS Density**

Lands within the RBS should be developed on lots no smaller than 40,000 square feet.

Insert Density Graphic

## RBS Recommended Density Scenario Rural Residential



- ◆ Minimum Lot Size:  
40,000 Sq. Ft.
- ◆ Maximum Lot Size:  
None
- ◆ Clustering Incentive: No  
(Voluntary Only)
- ◆ 38 Acres Shown

- ◆ 38 Potential Additional Units
- ◆ 16 Units Shown



## **Recreation - Private (RP)**

This management area provides residents and visitors opportunities for recreational experiences in the town. Golf courses, seasonal accommodations, campgrounds, and other related or complimentary uses provide the recreational character of this area. Development for commercial or residential purposes should reflect and/or enhance its recreational character.

### **RP Objectives**

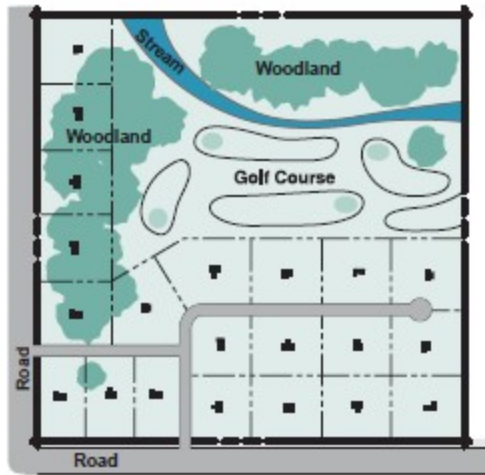
1. Promote quality, private, outdoor recreational experiences in the town.
2. Ensure quality facilities are maintained.
3. Maintain acceptable building appearance, lighting, signage, road access, and safety standards which will reduce land use compatibility issues with surrounding property owners.

### **RP Density**

Density within the RP area should not exceed one unit per acre with a minimum lot size of 20,000 square feet. All new lots under one acre must be clustered and serviced with a group sanitary system.

## Insert Density Graphic

### RP Recommended Density Scenario Rural Residential with High Density Clustering Option



- ◆ 40 Potential Additional Units
- ◆ 21 Units Shown



- ◆ 40 Potential Additional Units
- ◆ 36 Units Shown

- ◆ Density Standard:  
One Unit Per Acre
- ◆ Minimum Lot Size:  
One Acre or 20,000 Sq.  
Ft. with Clustering and  
Group Septic System
- ◆ Maximum Lot Size:  
None
- ◆ Clustering Incentive: Yes  
(No Additional Density,  
But Ability to Work with  
Limiting Features of  
Landscape)
- ◆ 40 Acres Shown



## **Residential - Suburban (RS)**

The RS management area is located immediately adjacent the west corporate limits of the City of Sturgeon Bay nestled along the Bay of Sturgeon Bay. Most of the RS area is within the proposed city growth area developed by the intergovernmental cooperation ad-hoc committee. The primary goal of this area is to maintain and accommodate high quality single family residential development. Municipal services such as public sewer and water are located nearby in the city, however, development within the RS is still serviced by private on-site systems. Full residential development of the RS is anticipated during the planning period. A majority of the area has been designated for medium density single family residential development according to the City of Sturgeon Bay Comprehensive Plan, February 2001. Ultimately, however, residential density within the RS will be determined by the provision of public sewer and water. Hence, the RS area should also be part of an intergovernmental agreement between the City of Sturgeon Bay and the Town of Nasewaupée. The agreement should address more details relative to specific uses, densities, and appearance standards. The agreement should also address service issues such as the need for public water and sewer which the area should ultimately receive.

### **RS Objectives**

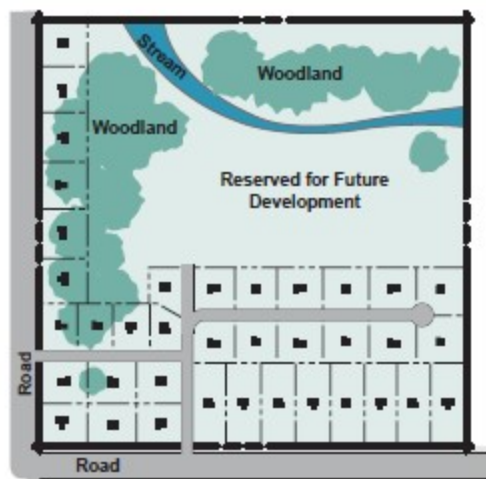
1. Provide for preferred areas to accommodate future residential growth in order to minimize adverse impacts on agriculture, maintain the town's rural character, and maximize the efficiency and provision of services.
2. Execute the development of an intermunicipal agreement with the City of Sturgeon Bay to address residential density, appearance, utility (i.e., public water and sewer), and government service requirements.
3. Allow for residential developments that are compatible with existing development.
4. Encourage in-fill of existing lots within the RS over the creation of new residential lots unless part of a planned residential area.
5. Avoid additional commercial uses, other than home-based businesses, in the currently developed areas.
6. Discourage development proposed on a site by site "piecemeal" basis and encourage Planned Unit Residential Developments which address the opportunities and impacts to the entire RS management area.

### **RS Density**

Lands within the RS should be developed on lots no smaller than 30,000 square feet for unsewered areas, or on lots no smaller than 20,000 square feet for sewer areas or cluster developments served by group sanitary systems.

## Insert Density Graphic

### RS Recommended Density Scenario High Density Residential with Clustering Option



- ◆ 58 Potential Additional Units
- ◆ 37 Units Shown



- ◆ 87 Potential Additional Units
- ◆ 42 Units Shown

- ◆ Minimum Lot Size:  
30,000 Sq. Ft. Unsewered  
or 20,000 Sq. Ft. Sewered  
or Clustered with Group  
Septic System
- ◆ Maximum Lot Size:  
None
- ◆ Clustering Incentive: Yes  
(One Unit Per 20,000 Sq.  
Ft.)
- ◆ 40 Acres Shown



## **Rural Crossroads - Mixed Use (RCM)**

The RCM management area is associated with minor development nodes at crossroads within the town. There are two RCM areas identified in the town which contain a mixture of commercial, residential, and limited agricultural use. Most of the areas have experienced significant parcelization, and vacant lots still exist to accommodate additional development. Extension of public sewer or water is not likely with the possible exception of the RCM area located at CTH PD and STH 42/57.

### **RCM Objectives**

1. Encourage in-fill of existing parcels within the RCM over creation of new parcels.
2. Maintain a balance of existing uses and new buildings that allow for limited additional residential and commercial growth.
3. Ensure that future buildings are of the same scale as existing buildings and avoid large scale projects (i.e., "big box" retail, equipment/auto dealers, etc.) that would conflict with the character of the RCM.
4. Reduce the proliferation of pole/"tin" buildings.
5. Maintain acceptable building appearance, lighting, signage, road access and safety standards which will reduce land use compatibility issues with surrounding property owners.

### **RCM Density**

Lands within the RCM should be developed on lots no smaller than one acre. An opportunity to develop lots smaller than one acre should be provided as a conditional use in order to encourage in-fill development. The intent of this recommendation is to encourage flexibility and creative site design to meet the review criteria that will control the appearance and function of future RCM development.

## **Commercial - Highway Corridor (CHC)**

The CHC management area includes two locations along the HWY 42/57 corridor which are currently accommodating several highway type businesses, industrial activities, and limited residential development. Given the commercial and industrial activity which exist within the CHC and the significant amount of traffic the corridor accommodates, additional commercial development pressure is expected to continue. The scale (size) of buildings is expected to be larger than building sizes within the RCM management area. Future development within the CHC should be highway dependant. Public sewer or water service is not beyond the realm of possibilities contingent upon discussions with the City through intergovernmental agreement meetings. Future commercial development and associated support features (i.e., signage,

lighting, and landscaping) will be expected to meet design standards which promote quality and aesthetics. By directing future highway dependant development into the CHC, new commercial or industrial development along other portions of the highway corridor designated RCC or NF should be avoided.

### **CHC Objectives**

1. Avoid expanding the CHC boundaries. Keep development activity within the defined area of the CHC by encouraging in-fill and coordinated planning.
2. Avoid excessive access points by encouraging shared driveways or internal circulation patterns.
3. Discourage the proliferation of large billboards in favor of smaller, less obtrusive signage.
4. Maintain acceptable building appearance, lighting, signage, road access, and safety standards which will reduce land use compatibility issues with surrounding property owners.
5. Promote buffering or screening of commercial and industrial uses, outside storage, and parking from adjacent residential uses or open space areas.
6. Reduce the proliferation of pole/"tin" buildings.

### **CHC Density**

Lands within the CHC should be developed on lots no smaller than one acre. This is intended to encourage flexibility and creative site design to meet review criteria. Many commercial uses will most likely require more than the minimum lot size to accommodate parking, traffic flow, landscaping, etc. An opportunity to develop lots smaller than one acre should be provided as a conditional use in order to encourage in-fill development.

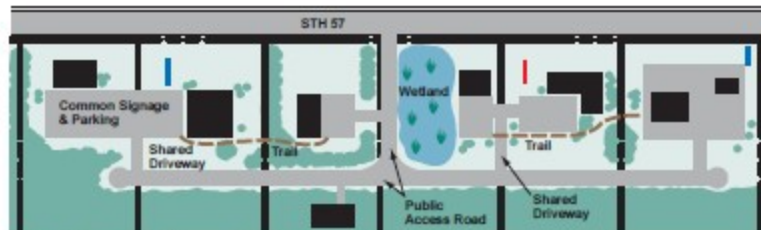
## Insert Density Graphic

### RCM and CHC Recommended Density Scenario Commercial & Mixed Use In-fill



- ◆ Minimum Lot Size: 1 Acre
- ◆ Maximum Lot Size: None
- ◆ In-fill Incentive: Minimum Lot Size No Smaller Than 20,000 Sq. Ft. as Conditional Use
- ◆ Commercial Clustering Concepts Shown

#### ◆ Node/Intersection Cluster



#### ◆ Cluster Development Pattern

- ◆ Single access to road improves safety and serves internal development patterns.
- ◆ 6 lots with road frontage; internal access to development.
- ◆ Coordinated signage and parking areas.
- ◆ Storefronts face road; parking in rear and side of building improves rural character.
- ◆ Shared driveway to lots provided to reduce cost and improve safety.
- ◆ "Frontage" road development allows additional development in rear of frontage lots.
- ◆ Trail provides for pedestrian movement between businesses.



## **Public Resource (PR)**

The PR management area consists of three publicly managed properties in the town. These areas include the Potawatomi State Park, Door County Cherryland Airport, and the Door County Landfill. All three sites have separate management plans for operation within their respective borders. The Town of Nasewaupee recognizes the importance of each site as a local and regional service. It is anticipated that all sites will remain publicly owned throughout the course of the town's 20 year planning period.

### **PR Objectives**

1. Encourage proper maintenance and appearance of publicly owned sites.
2. Demand proper communication with management officials of publicly owned properties relative to future property use and planning to ensure coordination with town goals and objectives.
3. Promote the use of PR lands for recreational purposes.

### **PR Density**

Density and lot sizes within the PR area should be consistent with the public purposes for which they are being used. Should any portion of the PR area ever revert to private use, an appropriate LUMA will be selected at that time.

**Table 8-8**  
**Land Use Management Area Development Densities**  
**Town of Nasewaupee**

LUMA	Maximum Density	Minimum Lot Size	Alternatives
RCC, NF, PT	One unit per 10 acres	1.5 acres	Two units per 10 acres with clustering
PR	Consistent with the public purpose	N/A	
RP	One unit per acre	20,000 sq. ft.	All lots under one acre must be clustered
RCM, CHC	None	One acre	Lots less than one acre allowed to encourage in-fill development
RRE	One unit per acre	One acre	
RBS	One unit per 40,000 sq. ft.	40,000 sq. ft.	
RS	One unit per 20,000 sq. ft.	30,000 sq. ft.	20,000 sq. ft. with public sewer or group septic system

### 8.10 Open Space Preservation Options

Options for the preservation of open space will be important in the management areas that employ a maximum density that is higher than the minimum lot size. This includes the RCC, NF, and RP management areas. The following methods of open space preservation are available as options for restricting future development of residual open space when maximum density has been reached, or as mitigation options for development proposals that need to offset negative community impacts.

Open space preservation may also be used on a proactive basis for the purpose of protecting rural character, scenic views, environmentally sensitive areas, or other strategic areas identified by the town. For example, Nasewaupee's approach to intergovernmental cooperation identifies the zones of contribution for the City of Sturgeon Bay's drinking water wells as areas in need of protection from potentially conflicting land uses. This would be a key area for the use of open space preservation options for the purpose of preventing the siting of potential sources of groundwater contamination.

## **Conservation Easements**

A conservation easement is a tool that is used in conjunction with many types of open space preservation programs. An easement is a binding agreement that places legal restrictions on the use of land. Easements may have a set time frame, but if the objective is permanent open space preservation, they must be perpetual. An easement that restricts the use of a property for development is known as a conservation easement. The use of the property for agriculture, wildlife habitat, open space, or outdoor recreation would be allowed to continue. The separation of development rights from all or a portion of a property allows ownership of that property to remain in private hands with the continued promise that it will remain as open space and comply with any other conditions of the covenant.

## **Purchase of Development Rights**

A Purchase of Development Rights (PDR) program puts a unit of government or private organization in a position to receive conservation easements. PDR programs can be funded through bonds, dedicated tax revenues, real estate transfer fees, or a variety of other means.

If the Town of Nasewaupee were to establish a PDR program, the town would set aside money to purchase development rights from willing sellers in areas that are targeted for open space or natural features protection. Determining the value of development rights requires an appraisal of the land's current value in an undeveloped state and an estimate of the market value of the land if it were developed. The difference between these two values would become the price for a PDR purchase. After the transaction is complete, a conservation easement would then be placed on the property to restrict future development but allow existing uses to continue.

The Town of Dunn in Dane County has operated a PDR program since the mid-1990s. This program has been so successful that the town has not been able to allocate enough funds to meet the demand from property owners wanting to sell their development rights. A PDR program may be successful in Nasewaupee where protection of natural resources is a high priority within the community, and the town is interested in alternatives to regulatory approaches to open space preservation.

## **Transfer of Development Rights**

A Transfer of Development Rights Program (TDR) is similar to a PDR in that it deals with conservation easements. TDR differs in that it puts the unit of government in a position to be the broker of a fixed quantity of development rights for a given area. The value for the development rights of a protected property will change hands between property owners, but the unit of government holds the conservation easement. TDR programs must be created by ordinance and involves establishing development rights sending and receiving areas.

If the Town of Nasewaupee were to establish a TDR program, the town would establish sending areas where the preservation of open space is desired. Receiving areas would be established

where future growth is desired. A density bonus would be offered in planned growth areas for those developers that purchased the development rights from a TDR sending area. The end result is similar to PDR, as the owner of the open space has been compensated for development rights, and the town would be given the conservation easement for those lands. The difference is a matter of timing: development must accompany a TDR, while PDR can be used at any time that funds and a willing seller are available.

TDR programs work best when very low density zoning is in place. This creates a desire to obtain a density bonus and increased profit from the sale of additional building sites. The densities established within Nasewaupée's land use management areas are not particularly conducive to a TDR program when compared to the expected rates of growth. Either the growth rate would need to be much higher, or the required densities much lower to make this a practical option.

### **Outright Purchase**

Although most government agencies and land trusts have limited budgets with which to pursue open space preservation, there may be particularly important properties where outright purchase is an option. Full ownership of an entire property or any portion thereof can be transferred to a public entity, such as the state, the county or the town, or to a private organization known as a land trust. Sale of a property may be fee simple at the market value or a bargain sale at less than market value for tax benefits.

### **Donation**

Lands can become available for open space preservation through donations. A "reserved life estate" can be used to facilitate a donation to a land trust or government agency at any time while allowing the property owners to retain use of the land for the remainder of their lifetime. Property can also be "donated by devise" through a will. This also allows preservation of open space in the long term without restricting the property owner's current use of the land.



### **Homeowner Associations**

Most commonly used with cluster subdivisions, a homeowner association can be established to give the owners of the lots in a subdivision an undivided interest in the residual lands. The residual lands are restricted through conservation easement to prevent development, and restricted by deed covenant to prevent misuse by any of the property owners. Like any

association, a homeowner association can be given the authority to elect leadership, establish bylaws, collect dues, and govern itself. The primary advantage to a developer is that it places the responsibility for the maintenance of commonly held open space upon the property owners themselves. Such organizations are used commonly throughout Wisconsin wherever cluster subdivisions have been established.

## **Land Trusts**

Land trusts are private, community-based, non-profit organizations established to protect land and water resources for the public benefit. These organizations permanently protect important resources in their communities from harm. Most often, the resources under protection have natural, recreational, scenic, historic, or productive value. Land trusts which have been incorporated as non-profits operate like a charity – any donation made to them is tax deductible, including monetary donations and donations of land or equipment. They are independent, non-governmental organizations whose mission is determined by their volunteers and members.

The Door County Land Trust (DCLT) has been active since 1986 and has preserved more than 2000 acres of open space throughout Door County. The DCLT targets lands that contribute significantly to the scenic beauty, open space, and ecological integrity of Door County. This land trust is funded by membership dues, special donations from individuals and businesses, grants, and foundations. As of 2003, the DCLT held 775 acres in direct ownership, and 1445 acres by conservation easement. The holdings of the DCLT are primarily in northern Door County, indicating a potential opportunity for future efforts to be focused on Nasewaupée and other southern Door County communities.

### **8.11 Land Use Performance Criteria**

As part of the planning process, the Town of Nasewaupée Plan Commission developed a comprehensive set of review criteria that can be used as the framework for a performance based land use management system. This system could employ everything from regulatory standards to incentive programs to evaluate the suitability of a proposed development in the town. A performance based land use management system is more concerned with the "how" than the "where" of a proposed development. Performance based standards address the impacts of land uses, more so than the uses themselves. The intent of a performance based system is to provide flexibility to developers so that they can meet the required standards in different ways. Landowners benefit in that they are permitted a wide variety of uses, as long as they meet certain numeric standards such as density, open space, noise, air quality, or lighting level standards, to name a few.

#### **Review Criteria Selected to Apply in All LUMAs**

Many of the potential criteria will be important everywhere in the town, but the level of regulation may vary based on the objectives and character of the LUMA. For example, addressing noise trespass was selected in every LUMA, but the noise level allowed by a proposed

development in the Residential Bayshore (RBS) may be far lower than that allowed in the Commercial Highway Corridor (CHC).

The level to which some of these criteria apply will also need to be tempered to fit the scale of the proposed development. For instance, the construction of a single home would not trigger a full blown fiscal impacts cost/benefits analysis, while a the development of a retail store might require such analysis. The following review criteria have been selected to apply in some fashion to all LUMAs:

#### Land Use Compatibility:

- ♦ Address impacts to adjacent residences.
- ♦ Consider architectural style.
- ♦ Address light trespass.
- ♦ Address noise trespass.

#### Environmental Features and Ecological Health:

- ♦ Address impacts to wetlands.
- ♦ Address impacts to upland woodlands, forests, and wildlife habitat.
- ♦ Address impacts to contiguous natural corridors.
- ♦ Address impacts to threatened or endangered species and habitats.
- ♦ Address impacts to groundwater.
- ♦ Consider recharge areas.
- ♦ Address impacts to surface water.
- ♦ Consider headwater areas.
- ♦ Address impacts to riparian buffers.
- ♦ Address impacts to floodplains.
- ♦ Address impacts to air quality.

#### Community Character:

- ♦ Address appearance of commercial/business uses.
- ♦ Address appearance of industrial uses.
- ♦ Address impacts to historic and archeological sites.

#### Economic Health and Markets:

- ♦ Address impacts to employment/job creation and retention.



*Housing blended into open space and woodland.*

#### Social Equity and Fiscal Impacts:

- ◆ Address impacts to town tax base.
- ◆ Assess fiscal costs and benefits.

#### Facility/Infrastructure Capacity:

- ◆ Address impacts to fire protection.
- ◆ Address impacts to emergency rescue.
- ◆ Address impacts to law enforcement.
- ◆ Address impacts to drainage systems.
- ◆ Address impacts to solid waste collection and disposal.

#### Intergovernmental Cooperation:

- ◆ Address impacts to relationships with neighboring municipalities.
- ◆ Address impacts to provisions of intergovernmental agreements.
- ◆ Address impacts to relationships with applicable agencies.

#### Transportation Systems:

- ◆ Address impacts to traffic flow.
- ◆ Address impacts to road conditions and maintenance.
- ◆ Address impacts to emergency vehicle access.

#### Safety:

- ◆ Provide assurance of structural soundness and health of structures.
- ◆ Prevent unsafe ingress/egress.

#### Educational System:

- ◆ Address impacts to transportation of students.

### **Review Criteria Selected to Apply in Distinct LUMAs**

In addition to the review criteria listed above, future development goals and objectives of some LUMAs warrant the use of additional review items. The areas where the Plan Commission has made some distinction between LUMAs include:

#### RCC and NF Criteria:

- ♦ Address impacts to adjacent farming operations.
- ♦ Preserve right to farm.
- ♦ Address impacts to public water system/supply.

#### RBS Criteria:

- ♦ Consider access to water.

#### RS Criteria:

- ♦ Consider access to water.
- ♦ Address impacts to public water system.
- ♦ Address impacts to public sewer system.
- ♦ Address impacts to pedestrian routes.
- ♦ Address impacts to bicycle routes.

#### PT Criteria:

- ♦ Address impacts to public water system.
- ♦ Address impacts to public sewer system.
- ♦ Address impacts to pedestrian routes.
- ♦ Address impacts to bicycle routes.

### **Incentive Based Criteria**

Certain features are desirable in the town but should be approached from an incentive based rather than regulatory approach. Consideration will need to be given to what the town may be able to provide in benefits to developers meeting incentives. Options might include additional development density, low interest loans, or a streamlined review process. The following criteria have been selected for a purely incentive based approach:

- ♦ Promotes energy conservation.
- ♦ Promotes preservation of working farmland.
- ♦ Considers regional economic and market connections.
- ♦ Considers diversification of economy and markets.
- ♦ Enhances community character through reuse of locally significant structures.
- ♦ Creates learning/educational opportunities.

The review criteria were selected based on public input received throughout the planning process. For example, the positive features identified in the community character inventory have been addressed by the review criteria. The following examples in Table 8-9 demonstrate how the review criteria and community character inventory are connected.

**Table 8-9**  
**Review Criteria and Community Character Inventory**  
**Town of Nasewaupee**

Community Character Inventory Features	Related Review Criteria
Connecting greenways and wildlife corridors	Address impacts to contiguous natural corridors
Preserved woodlands and mature trees	Address impacts to upland woodlands, forests, and wildlife habitat
Natural building materials	Consider architectural style
Commercial buildings fit into countryside	Address appearance of commercial uses

### **8.12 Identification of Smart Growth Areas**

A Smart Growth area is defined as “an area that will enable the development and redevelopment of lands with existing infrastructure and municipal, state and utility services, where practicable, or that will encourage efficient development patterns that are both contiguous to existing development at densities which have relatively low municipal, state governmental and utility costs.”

The Town of Nasewaupee Comprehensive Plan is based upon the following six principles as identified in the American Planning Association, Planning Advisory Service Report 479, *The Principles of Smart Development*:

#### **Principle 1. Efficient Use of Land Resources**

Smart development supports the preservation of land and natural resources. Approximately 81% of the land in the Town of Nasewaupee is designated as the Rural Character Conservation or Natural Features land use management area. Within these designations: residential development is limited; environmentally sensitive areas such as wetlands, floodplains, and contiguous woodlands are protected; and future development must utilize the existing street network to the greatest extent possible to minimize additional local road maintenance costs.

#### **Principle 2. Full Use of Urban Services**

Smart development means creating neighborhoods where more people will use existing services like water lines and sewers, roads, emergency services, and schools. The Planned Transitional, Commercial Highway Corridor, and Residential Suburban Areas all have some potential as service extension areas for the City of Sturgeon Bay. Through intergovernmental cooperation and a potential boundary agreement, the city and town may jointly plan for the use of urban services within logical city growth areas.

In addition, this plan recommends the exploration of development alternatives such as conservation by design, as well as the purchase of development rights, conservation easements, or other methods to provide financial compensation to landowners in exchange for development rights on their property. These tools encourage clustered, rather than dispersed development in rural areas.

### **Principle 3. Mix of Uses**

Compact neighborhoods that contain a mix of residential, commercial, and recreation spaces within walking distance of each other promote a reduction in auto use, community identity, a variety of housing types and a safe environment for all age groups. The Rural Crossroads Mixed Use and Planned Transition areas could be designed compactly to contain a mix of residential and commercial uses serviced with public utilities. The Planned Transitional area should be planned jointly and formally addressed within a boundary agreement between the town and city.

### **Principle 4. Transportation Options**

A well designed transportation network promotes safety, alternative modes of transport, and less traffic congestion and air pollution. The Town of Nasewaupee is a rural town that does not contain the density to support a wide variety of alternative modes of transportation other than bicycling or other recreational pursuits. Highway 42/57 also represents a significant barrier to bicycles and pedestrians. However, development that is proposed to take place within City of Sturgeon Bay growth area has the potential for promoting walking, bicycling, and small-scale transit.



### **Principle 5. Detailed, Human Scale Design**

In human-scale neighborhoods, a wide mix of housing types is clustered around one or more well-defined neighborhood centers which support jobs, commercial activity, and a range of services. The Planned Transition area could meet this criteria through joint planning and development between the city and town. In addition, the intergovernmental cooperation strategy developed by the town suggests joint planning for design review of commercial structures along Highway 42/57 in the city's gateway areas. Design review would promote high quality commercial development (office, retail, and service industries) that better incorporates traffic and pedestrian flow, attractive building design, and landscaping.

## **Principle 6. Implementation**

A community's ability to adopt smart development principles will require implementation. The Town of Nasewaupee spent significant effort during its planning process to develop a meaningful and achievable implementation strategy. The Town of Nasewaupee does not presently have zoning of any kind outside of the shoreland areas, so the detailed implementation strategy found within this plan represents a great stride toward achieving smart growth.

### **8.13 Land Use Goals and Objectives**

***Goal LU-1: Provide for a well-balanced mix of land uses within the Town of Nasewaupee.***

#### **Supporting Objectives**

1. Identify and establish preferred land use management areas which contain areas of similar feature and function (e.g., agricultural, single-family residential, commercial, open space, etc...) and land uses which can co-exist with one another.
2. Encourage commercial, industrial, agricultural, and residential developments to fit within the character of the area in their site designs, building character, scale, and long-term economic feasibility.
3. Identify Nasewaupee's natural resources, environmentally valuable features, open spaces, and cultural and historic resources which should be afforded protection from development.
4. Conserve the majority of town rural lands by focusing new areas of growth within or near existing areas of development where adequate public facilities and services exist or are planned.
5. Identify preferred areas for rural residential growth outside of existing developed areas such that impacts on productive farmland, natural areas, and open spaces are minimized.
6. Maintain the existing single-family residential character along the Green Bay waterfront.
7. Direct residential growth away from State Highway 42/57.
8. Realize the cost-effectiveness of utilizing the existing road network to accommodate any future development.
9. Limit the extent and density of new resort development within the town.
10. Support the City of Sturgeon Bay as being the primary commercial and service center for the Town of Nasewaupee.

11. Cluster new town business growth near existing town and City of Sturgeon Bay business areas, especially along STH 42/57.
12. Encourage in-fill and redevelopment of vacant and underutilized existing commercial sites.

## **8.14 Land Use Policies and Recommendations**

### **Policies**

Policies identify the way in which activities are conducted in order to fulfill the town's land use goals and objectives. Policies that direct action using the words "shall" or "will" are advised to be mandatory aspects of the implementation of the Town of Nasewaupee Comprehensive Plan. In contrast, those policies using the words "should" or "may" are advisory and intended to serve as a guide.

Nasewaupee's vision and priorities for land use led to the development of policies in four major areas of concern: evaluation of development proposals, development densities, mitigation opportunities, and highway corridor development.

### **Evaluation of Development Proposals**

All development proposals approved in the town shall meet the intent of the Preferred Land Use Map and land use management area definitions and objectives as described within the *Land Use* Element, or as amended in accordance with due process requirements.

All development proposals approved in the town should be located and designed in order to uphold the intent of the review criteria for the applicable land use management area as established within the *Land Use* Element.

The level of detailed information, analysis, and proof that are required to satisfy land use management area review criteria will be scaled to the intensity of the proposed development and codified by town ordinance.

- ♦ Proposed developments will be evaluated based on their impacts to community character and compatibility with neighboring land uses according to established review criteria for the purpose of:
  - Preventing negative impacts to adjacent residences.
  - Preventing light and noise trespass.
  - Promoting high quality of architectural style.
  - Promoting high quality appearance of commercial and business uses.
  - Promoting high quality appearance of industrial uses.

## **Development Densities**

- ♦ All land divisions approved after the adoption of this plan should meet the density and minimum lot size requirements for the applicable land use management area as established within the *Land Use* Element.
- ♦ Residential building sites shall meet all of the following characteristics in order to be considered as cluster development:
  - Lots are concentrated and grouped.
  - There are residual lands that are preserved as open space.
  - Lots are reduced in size from what is required in the absence of clustering.
  - Within a cluster group, the lots are directly adjacent to one another.

## **Mitigation Opportunities**

- ♦ A degree of flexibility should be incorporated into land use decisions based on effective mitigation of anticipated negative impacts.
- ♦ Mitigation measures required by the town shall be roughly proportional and directly connected to the potential negative impacts of a proposed development.

## **Highway Corridor Development**

- ♦ Future highway corridor development should be clustered in designated areas including the CHC and RCM land use management areas.
- ♦ Highway corridor development proposals should address the following desired characteristics:
  - Low water use and treatment potential.
  - Low child dependency.
  - Traffic dependent and/or require good highway access.
  - Require significant space to store and/or showcase inventory.
  - Related to agriculture.
  - Involves low impact natural resource processing.

## **Nonconformity**

- ♦ Where the development densities selected by the Town of Nasewaupee create nonconforming lots, provisions for grandfathering of existing legally created lots should be employed. Specific permitted and conditional uses of nonconforming lots will be determined.
- ♦ Where future codes and ordinances result in the creation of nonconforming uses, those codes and ordinances shall include provisions for grandfathering of existing

uses. These provisions shall allow the grandfathered status of nonconforming uses to remain as long as they are not discontinued for a period of more than 12 months.

- ♦ The reestablishment of nonconforming uses or structures that have been damaged or destroyed by fire, wind, flood, or other calamity will be allowed. Repair, reconstruction, or rehabilitation of such structures may require review by the plan commission, and consideration will be given to the applicable review criteria to improve compatibility with neighboring land uses. Mitigation of incompatibilities may be required and may include improved building materials, use of earth tone building colors, establishment of landscape buffers, improved driveway access, or other such remedies.

## **Recommendations**

1. The town should adopt a comprehensive land use management system that codifies the land use policies of this plan. Key components of the system should be a comprehensive building code and land division ordinance.
2. The town should plan for and conduct an inventory of nonconforming lots, structures and uses as a part of the land use code and ordinance development process. The extent of this inventory should be minimal, as the land use management system is intended to provide maximum flexibility and options for mitigation.
3. The town should include a system for the long term tracking of density and development rights within its approach to regulating maximum development densities. The tracking of development rights should begin immediately after the adoption of such codes and ordinances. The use of parcel mapping and a Geographic Information System (GIS) is recommended.
4. When determining the number of lots that can be created for a given parcel under a given density, only contiguous lands should be counted toward the gross site area. Lands separated only by a stream, road or other right-of-way (directly across from one another) should be considered contiguous, but lands otherwise separated should not be considered contiguous.
5. At a minimum, the following characteristics should be used to define a cluster development that is eligible for a density bonus:
  - a. Residential lots are concentrated and grouped.
  - b. There are residual lands that are preserved as open space.
  - c. The lot size is reduced from what is normally required.
  - d. Within a cluster group, the lots are directly adjacent to one another.

6. When lands have been developed under a density approach, there may be remaining lands that have no further development rights. These residual lands should be allowed to exchange hands as long as the minimum or maximum lot size provisions are not violated and the development rights continue to be tracked accurately.
7. Nasewaupée should explore the feasibility of establishing a town sponsored purchase of development rights program. In lieu of this option, cooperation with existing land trusts should be pursued.

## **8.15 Land Use Programs**

### **Door County Land Trust**

Land trusts are private, community-based, non-profit organizations established to protect land and water resources for the public benefit. They are independent, non-governmental organizations whose mission is determined by their volunteers and members. The Door County Land Trust (DCLT) has been active since 1986 and has preserved more than 2000 acres of open space throughout Door County. The DCLT targets lands that contribute significantly to the scenic beauty, open space, and ecological integrity of Door County. This land trust is funded by membership dues, special donations from individuals and businesses, grants, and foundations. As of 2003, the DCLT held 775 acres in direct ownership, and 1445 acres by conservation easement.

### **Wisconsin Land Information Program**

The Wisconsin Land Information Program is a voluntary, statewide program that provides financial support to local governments for land records modernization efforts. All 72 Wisconsin counties voluntarily participate in the program. The Wisconsin Land Information Board oversees the program's policies. The Board's statutory authority includes preparing guidelines to coordinate the modernization of land records and land information systems; implementing a grant program for local governmental units; approval of countywide plans for land records modernization; serving as the clearinghouse for access to land information; and providing technical assistance and advice to state agencies and local governmental units with land information responsibilities.

### **Office of Land Information Services (OLIS), Wisconsin Department of Administration**

OLIS provides staff support to the Wisconsin Land Council, and it administers the Wisconsin Land Information Program in conjunction with the Wisconsin Land Information Board. It also houses Plat Review and Municipal Boundary Review, both of which have statutory authority for approval of specific land use related requests, and the GIS Services, dedicated to the efficient use of geographic information systems. For further information about OLIS visit their web-site via the WDOA web-site at: [www.doa.state.wi.us](http://www.doa.state.wi.us).

## **Wisconsin Coastal Management Grant Program, Coastal Land Acquisition**

Coastal management grants encourage acquisitions that enhance proactive management of the coastal region for this and future generations. Only governmental entities may apply for coastal land acquisition funding. All projects must have a direct relationship to the Great Lakes. Projects must be open to the public, have a public access component, and include an education or resource protection component. For more information on this program contact the Wisconsin Coastal Management Program.

## **Wisconsin Coastal Management Grant Program, Coastal Resource and Community Planning**

The Wisconsin Coastal Management Grant Program encourages local governments to protect coastal resources using comprehensive planning as described in Wis. Stats. 66.1001. Coastal planning projects that are eligible for grant funding include: projects that emphasize protection of coastal resources, projects that support natural hazard planning and development of ordinances, projects that address preservation of historic coastal resources, projects that combine protection with economic development as well as several other planning related or land use related projects. For more information on this program and available grant funding contact the Wisconsin Coastal Management Program.

## **UW-Extension Center for Land Use Education**

The Center for Land Use Education uses a team-based approach to accomplish its dual missions in campus based undergraduate and graduate education and Extension outreach teaching related to: land use planning, plan and ordinance administration, project impact and regional trends analysis, and public involvement in local land use policy development. For more information on the Center for Land Use Education visit their web-site at [www.uwsp.edu/cnr/landcenter/](http://www.uwsp.edu/cnr/landcenter/).

## 9 Implementation Element

The Town of Nasewaupee Comprehensive Plan was developed with achievable and innovative implementation in mind. Major themes that are reflected in the town's implementation strategy, programs, policies, and recommendations include:

- ♦ Public participation shall be required prior to the development and/or amendment to any town plans, ordinances or programs.
- ♦ Innovative planning or related land use initiatives or ideas will be given full consideration for implementation within the community.
- ♦ A degree of flexibility should be incorporated into land use decisions based on effective mitigation of anticipated negative impacts.
- ♦ Plan implementation will be fair and equitable.
- ♦ The level of detailed information, analysis, and proof that are required to satisfy land use management area review criteria will be scaled to the intensity of the proposed development and codified by town ordinance.

This element includes a compilation of programs and specific actions to be completed in a stated sequence. These include, but are not necessarily limited to, proposed changes to zoning ordinances, official maps, sign regulations, erosion and stormwater control ordinances, historic preservation ordinances, site plan regulations, design review ordinances, building codes, mechanical codes, housing codes, sanitary codes, or subdivision ordinances. These programs and specific actions will be used to implement the objectives, policies, plans, and programs contained in the other elements of this plan. Integration of and consistency between the nine planning elements will be discussed in addition to a process for amending and updating the plan. A mechanism to measure the town's progress toward achieving all aspects of the plan is provided.

### 9.1 Action Plan

An action plan is intended to jump start the implementation process by providing clear focus. During the comprehensive planning process a detailed framework for implementation was created which will serve to guide the many steps that must be taken to put the plan in motion. This action plan outlines those steps and recommends a rough time line for their completion.

1. Task: Continue to pursue high priority intergovernmental cooperation opportunities by maintaining the active status of the intergovernmental cooperation ad-hoc committee and by providing clear direction for its activities.  
Who: Town Board and Plan Commission  
When: Summer 2003 and ongoing

2. Task: Explore options for the effective mitigation of development impacts and include the selected options in the land use management system development review and permitting process.  
Who: Plan Commission and Town Board  
When: Summer 2003 thru Fall 2004
3. Task: Develop key components of the land use management system including a building and construction code and a land division ordinance.  
Who: Town Board and Plan Commission  
When: Fall 2003 thru Fall 2004
4. Task: Assess the need for and potential duties of town land use administration staff and proceed with securing the needed resources, facilities, and qualified individual(s).  
Who: Town Board and Plan Commission  
When: Winter 2004
5. Task: Make use of progressively shorter extensions of the moratorium until the key components of the land use management system are adopted.  
Who: Town Board  
When: Ideally ending in Fall 2004
6. Task: Continue the development of the town's land use management system by adopting additional issue specific codes and ordinances as recommended by the comprehensive plan.  
Who: Town Board and Plan Commission  
When: 2004 thru 2005
7. Task: Conduct an inventory of nonconforming uses, structures, and lots.  
Who: Land Use Administrator  
When: 2004 thru 2005
8. Task: Explore the feasibility for the use of town sponsored open space preservation programs and develop a plan to initiate their use.  
Who: Town Board and Plan Commission  
When: 2005 thru 2006
9. Task: Conduct a review of the comprehensive plan.  
Who: Plan Commission, Town Board, and Town Attorney  
When: Summer 2004 and annually thereafter
10. Task: Monitor Wisconsin's "Smart Growth" legislation for changes to ensure consistency with state law.  
Who: Plan Commission and Town Board  
When: Ongoing

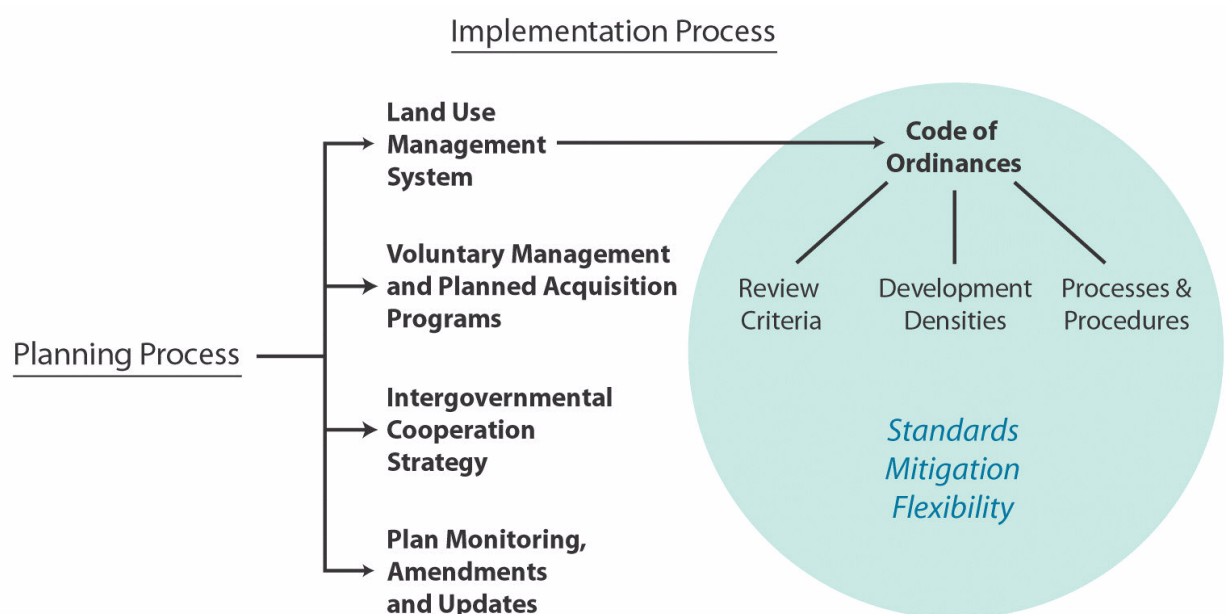
11. Task: Update the Town of Nasewaupée Year 2025 Comprehensive Plan.  
Who: Plan Commission and Town Board  
When: Every 5 to 10 years; minor amendments may be necessary during the interim

## 9.2 Implementation Strategy and Programs

It is the Town of Nasewaupée's desire to fulfill its vision, goals, and objectives through the use of a comprehensive, innovative, and flexible set of implementation tools. Key features of the town's implementation strategy include:

- ♦ A performance based **land use management system** that affords flexibility and opportunities for mitigation,
- ♦ Exploration of **voluntary resource management and planned acquisition** programs,
- ♦ A comprehensive **code of ordinances** that is both effective and user-friendly,
- ♦ And an **intergovernmental cooperation** strategy that maximizes opportunities for efficiency and positive relationships, and
- ♦ A process for **monitoring, updating, and amending** the comprehensive plan.

**Figure 9-1**  
**Components of Implementation Strategy**  
**Town of Nasewaupée**



## **Land Use Management System**

The land use management system will differ from traditional zoning by incorporating a greater degree of flexibility. It will focus more on the “how” than the “where” of a proposed development and may incorporate incentive programs and mitigation opportunities. This system will be similar to traditional zoning in that it will include requirements for development densities and performance standards for land uses. These standards will be tailored to fit the unique character of each Land Use Management Area (LUMA) as shown on the Year 2025 Preferred Land Use Map.

The main features of the land use management system are detailed in the *Land Use* Element. The land use management area descriptions, objectives, densities, and review criteria provide a conceptual framework for the system. Required density standards and development review criteria will appear in the code of ordinances. Application and review processes and procedures will be codified as well. These processes will be simplified through the use of a Unified Development Ordinance or similar device that explains the town’s requirements in lay terms and focuses on the process that must be followed. The intent of this approach is to provide not only an effective code of ordinances, but also a navigational aid for all who interact with the land use management system.

## **Voluntary Resource Management and Planned Acquisition**

This aspect of the town’s implementation strategy recognizes that non-regulatory approaches play an important role in shaping the future of the landscape. These tools are also necessary to achieve the town’s vision and goals as the recommended development densities alone will not provide the desired future. Measures for the permanent protection of open space must be incorporated into the town’s land use management system in order to avoid the haphazard development of its rural and agricultural areas. Voluntary resource management programs such as Managed Forest Law and Conservation Reserve Program are described in detail in the *Agricultural, Natural, and Cultural Resources* Element. Acquisition strategies such as purchase and transfer of development rights are detailed in the *Land Use* Element. The use of these approaches will be essential in realizing the goals and objectives for Agricultural, Natural, and Cultural Resources and Land Use.

Nasewaupee has adopted the policy that innovative planning or related land use initiatives or ideas will be given full consideration for implementation within the community (*Issues and Opportunities* Element). Although this plan does not recommend any properties as specific targets for acquisition or voluntary management, the town’s policy indicates that such strategic planning may be needed in the future. Generally speaking, the Natural Features and Rural Character Conservation management areas, as well as City of Sturgeon Bay wellhead protection areas are all desirable candidates for the use of voluntary management and planned acquisition.

## Code of Ordinances

Adopting a code of ordinances will be central to the Town of Nasewaupee's implementation strategy. A code of ordinances will provide a comprehensive system of developing, tracking and updating town ordinances in a structured and legally sound manner. The town has developed a set of specific recommendations relative to the creation of a code of ordinances. These recommendations include an analysis of the town's regulatory needs and draft table of contents for the code of ordinances.

The process began with an assessment of the status of regulations and codes that currently apply in the town. Steps taken to assess the town's current situation included gathering all existing town codes and ordinances as well as any county and state regulations that apply. The town's current codes were evaluated for their relevance and completeness, and a recommended action for each code was determined. Several of these codes can be eliminated as they are no longer relevant. Several codes need significant modification and update, and several codes can remain as written. Desired areas of regulation were then compared to the existing local, county and state regulations, and the amount of existing regulatory coverage was estimated. Proposed new codes were recommended based on the gaps in regulatory coverage.

Proposed areas of regulation to be covered by the code of ordinances fell into eight main subject areas. Several ordinances, including both existing and proposed, are listed under each main heading in the draft table of contents. The main headings of the proposed code of ordinance table of contents are:

1. Administration and Enforcement
2. Land Division Regulations
3. Land Use Regulations
4. Building and Construction Codes
5. Town Highway Control
6. Public Nuisances
7. Parks and Recreation
8. Alcohol Beverages

### Administration and Enforcement

The town has several codes in the area of administration and enforcement that can be incorporated into the code of ordinances without major modifications. These include the *Election Registration Ordinance*, *Ordinance to Eliminate Duplicate Treasurer's Bond*, *Resolution Adopting Village Powers*, *Board of Review Ordinance*, *Plan Commission Ordinance*, and *Board of Adjustment Ordinance*.

Two existing codes need to be revised before being included in the code of ordinances. *The Jurisdiction and Duties of Town Employees* will need to reflect any new positions that are created to administer the land use management system. *Enforcement and*

*Penalties for Violations of Town Ordinances* will need to be modified to include provisions for violations of any new codes that are adopted.

Two new codes are proposed in the area of administration and enforcement. An ordinance establishing the process related components of the *Land Use Management System* and a comprehensive *Fee Schedule* need to be created.

### **Land Division Regulations**

The town does not currently have any land division regulations, so both a *Comprehensive Land Division Ordinance* and a *Land Divisions Impacts Assessment and Mitigation Opportunities* ordinance need to be created. These ordinances will codify the recommended LUMA density standards, any provisions of the LUMA review criteria that would be triggered by a proposed land division, and any potential opportunities for mitigating the impacts of a proposed land division.

### **Land Use Regulations**

Three existing codes need significant revisions before being incorporated into the code of ordinances. The *Sign Ordinance* needs to be modified to better address the goals and objectives of this plan and to include rules for off-premise signs. A *Solid, Hazardous, Construction and Demolition Waste Ordinance* will combine provisions of existing codes and create new rules in order to comprehensively address solid and hazardous waste. The town's *Mining and Quarrying Ordinance* needs to be revised to clarify the application and review process and to better achieve the goals and objectives of this plan.

Two new codes are proposed to regulate land uses. A *Telecommunications and Wind Energy Towers Ordinance* is needed to address the siting of these structures relative to the town's LUMAs. A *Land Use Impacts Assessment and Mitigation Opportunities* ordinance will codify any provisions of the LUMA review criteria that would be triggered by a proposed land use, and any potential opportunities for mitigating the impacts of a proposed land use. This ordinance may include provisions for stormwater management, erosion control, historic and archeological sites, and other items related to the applicable LUMA review criteria.

### **Building and Construction Codes**

The town's existing building code needs to be significantly revised into a fully enforced *Comprehensive Building Code*. One new code is also proposed in the area of building and construction. A *Building and Construction Impacts Assessment and Mitigation Opportunities* ordinance is needed to codify any provisions of the LUMA review criteria that would be triggered by proposed construction, and any potential opportunities for mitigating the impacts of proposed construction. This ordinance may include provisions

for construction site erosion control, building design, historic preservation, and other items related to the applicable LUMA review criteria.

### **Town Highway Control**

The town's existing *In-Line Skates Ordinance* can be incorporated into the highway control segment of the code of ordinances without major modifications.

Three of the town's existing ordinances in the area of town highway control need significant revision. The *Road Construction Standards Ordinance* and related *Road Construction Standards* technical manual need to be revised to address modern standards for road construction. Existing ordinances related to snowmobile routes need to be combined into a comprehensive *Snowmobile Route Ordinance*.

Three new codes are proposed in the area of town highway control. A *Traffic Control Ordinance* is needed to address speed limits and other traffic controls on town roads. A *Town Right-of-Way Control Ordinance* is needed to address parking, littering, and private uses of town right-of-way on a consistent basis. An *Official Map* of planned future town roads is needed, especially in growth areas.

### **Public Nuisances**

There are four existing codes in the area of nuisances that need significant revision. The Town's *Burning Ordinance* and *Noise Ordinance* should be updated to better achieve the goals and objectives of this plan. The town's existing dog control ordinance needs to be expanded into an *Animal Control Ordinance*, and the existing junk dealer ordinance needs to be expanded into a *Junkyard Ordinance*.

Two new codes are proposed in the area of public nuisances. A *Landspreading Ordinance* is needed to address the spreading of septage and organic sludge. A *Nuisance Assessment and Mitigation Opportunities Ordinance* is needed to improve opportunities for the timely correction of public nuisances.

### **Parks and Recreation and Alcohol Beverages**

No new ordinances are proposed in the areas of parks and recreation or alcohol beverages. The town's existing ordinances were found to cover all of the desired areas of potential regulation.

### **Timing of Ordinance Development**

Priorities for the creation and modification of the recommended ordinances have also been considered. The highest priority items are the *Comprehensive Building Code*, the *Comprehensive Land Division Ordinance* and the *Land Use Management System*. The

complete set of analyses and recommendations relative to codes and ordinances is available in the *Town of Nasewaupée Draft Code of Ordinances*.

## **Intergovernmental Cooperation**

Potential opportunities for cooperation were explored in eight major areas as detailed in the *Intergovernmental Cooperation* Element. Findings related to cooperative implementation strategies include potential opportunities with surrounding towns, with the City of Sturgeon Bay, and with Door County. Growing public demand for flexible land use regulations and cost effective services creates a challenging mismatch when combined with decreasing state, county, and municipal budgets. Flexible land use regulations are often more complex and difficult to administer than conventional zoning. The answer to these trends may lie in shared service agreements.



*Town residents reviewing the intergovernmental cooperation strategy at the 2003 public informational meeting.*

## **Potential Opportunities with Neighboring Towns**

Opportunities for sharing administration of land use programs with surrounding towns appear limited at present. Towns not participating in county zoning such as Gardner, Forestville, and Brussels are more likely to consider joint administration at some point in the future. The Town of Brussels recently adopted a comprehensive plan and is currently in the process of modifying ordinances. The Towns of Gardner and Forestville are not currently engaged in a formal planning process, but may consider developing plans through a Door County comprehensive planning process in the near future.

Another factor that may persuade surrounding towns to consider sharing administrative burdens will be whether initial efforts to implement a flexible land use management system are successful in Nasewaupée. Many towns throughout Door County are aware of Nasewaupée's implementation approach and will likely take a "wait and see" approach before they are willing to coordinate their own efforts with Nasewaupée's. Until cooperative opportunities materialize, the Town of Nasewaupée will need to move forward and make the financial commitment needed to implement its land use management program.

## **Potential Opportunities with the City of Sturgeon Bay**

The City of Sturgeon Bay may have the opportunity to support its own comprehensive planning goals and objectives through ongoing involvement in border areas. Through

cooperative implementation, there may be opportunities to move toward mutual development goals without the use of extra-territorial zoning, annexation, or other more controversial methods. Based on the potential implementation tools discussed as part of the Town of Nasewaupee comprehensive plan, several types of cooperative ventures may become possible in the future.

### **Jointly Contracting for Services**

Certain services have historically been provided by private contractors and consultants. Dollars spent on these services may be better leveraged by making joint purchases. Such services might include:

- ♦ Building inspection
- ♦ Assessment services
- ♦ Future comprehensive or neighborhood planning efforts
- ♦ Road repairs
- ♦ Solid waste and recycling

### **Directly Contracting with City for Services**

Certain implementation activities are highly technical in nature, but the demand for these services may be so variable that it is not realistic to maintain town staff with expertise in these areas. The Town of Nasewaupee may only have occasional need for these services and could benefit from the option of contracting with the city's personnel in these areas:

- ♦ Stormwater management planning and ordinance development
- ♦ Design review of commercial and light industrial developments
- ♦ Police protection
- ♦ Public sewer and water system administration

### **Area Specific Services**

The lands along the border between the city and town are obvious pressure points for future growth and expansion of the city. The Town of Nasewaupee has recognized the city's future expansion plans by designating Planned Transition (PT) areas and a City Growth area. Sturgeon Bay may also have an interest in the entire Highway 57 corridor, as it is the primary gateway to the city. The town has recognized areas where improved image and site design are needed in its Commercial Highway Corridor (CHC). Not only might the city benefit from having input in the development of these areas, but the town may also be willing to contract with the city for technical services and administration of:

- ♦ Design review of future commercial and light industrial development within the PT area.
- ♦ Design review within the entire CHC management area.
- ♦ Design review within the corridors of County Highway C & S.
- ♦ Official mapping within the PT area.
- ♦ Joint purchase of development rights program within the Wellhead Protection area.
- ♦ Road construction standards within the PT area.

### **Potential Opportunities with Door County**

Although the Town of Nasewaupee has not adopted the Door County Comprehensive Zoning Ordinance, there are many other existing county codes that apply within the town's borders. As Door County considers its role in comprehensive and land use planning, it must deal with a patchwork of existing plans, towns with their own zoning, towns with no zoning, and individual city and village plans. If Door County is to provide oversight and leadership to the development of the county landscape, it must consider new ways to be involved in local decision making.

### **Consolidate Duplicate Regulations**

Many Door County codes that apply to the Town of Nasewaupee could be more effective if they considered the town's comprehensive plan. For instance, both the county and the town are interested in regulating communication towers, but do both units of government really need separate ordinances? The following areas have potential to be regulated by both the county and the Town of Nasewaupee unless codes are coordinated:

- ♦ Nuisances
- ♦ Communication and wind energy towers
- ♦ Nonmetallic mines
- ♦ Building setbacks
- ♦ Land disturbances/stormwater management
- ♦ Land divisions

### **Directly Contracting with County for Services**

Certain resources needed for the implementation of town land use policies are already in place at the county level. For instance, if the Town of Nasewaupee

wishes to regulate development of lots on a density, rather than minimum lot size basis, it will need to be able to track land divisions over time. The county may be able to track these divisions easier than the town. The Town of Nasewaupee could benefit from procuring the following services from Door County on a contractual basis:

- ♦ GIS (Geographic Information Systems) Density Tracking and Parcel Mapping
- ♦ Road Construction Review
- ♦ Ordinance Administration
- ♦ Police Protection

The land use management system (of which the code of ordinances is an integral part), the intergovernmental cooperation strategy, and the process for monitoring, amending, and updating the plan together complete the town's implementation strategy. A mechanism for monitoring the plan is described in Section 9.4 below, and the process for amending and updating the plan is found in Section 9.5.

### **9.3 Planning Element Integration and Consistency**

Wisconsin's Comprehensive Planning legislation requires that the *Implementation* Element describe how each of the nine elements of the comprehensive plan will be integrated and made consistent with the other elements of the plan. The planning process that was used to create the *Town of Nasewaupee Comprehensive Plan* required all elements of the plan be produced in a simultaneous manner. No elements were created independently from the other elements of the plan, therefore eliminating the threat of inconsistency. There are no known inconsistencies between individual elements or between goals, objectives, policies and recommendations.

The development proposal review criteria will help ensure integration and consistency. These criteria, detailed in the *Land Use* Element, address issues related to all nine planning elements. These criteria form the foundation of what will become the town's performance based land use management system. This includes the ordinances that the town will interact with on a daily basis, continually bringing decision makers and local staff back to the connections between land use, housing, transportation, agriculture, and so on.

Over time the potential for inconsistency between the plan and existing conditions will increase, therefore requiring amendments and/or updates to be made, as discussed in Section 9.5 below. Future planning efforts regarding specific issues within Nasewaupee may also take place (i.e., outdoor recreation plan, farmland preservation plan) and have the potential to create inconsistencies. The process used to develop any further detailed plans should always include an element that examines consistency with the *Town of Nasewaupee Comprehensive Plan*.

## 9.4 Mechanism to Measure Community Progress

The policy statements included with each planning element are not only directives to guide town actions, but also tools to measure progress toward realizing the town's desired future. The following tables provide examples of how the policies can be used for this purpose. Policies, located in the left hand column of each table, provide a general measurement for achieving the town's goals and objectives. Indicators, located in the middle column of each table, offer a more specific means to measure the level of success in implementing that policy. This mechanism can be used for guidance during scheduled plan reviews and updates or on an as-needed basis. Note that a full review should consider progress on all planning element policies in addition to these examples.

## Issues and Opportunities

Policy	Indicator of Policy	Purpose
Public participation shall be required prior to the development of and/or amendment to any town plans, ordinances, or programs.	Public meeting attendance, public outreach efforts made, number of decisions made without public input	To ensure that the public remains informed and is provided the opportunity to be involved
Town policies, ordinances, and decisions shall be made in conformance with the comprehensive plan.	Number of policies, ordinances, or decisions in conformance with plan	To maintain the integrity of the plan and ensure compliance with Wis. Stats. 66.1001 after the year 2010.
The comprehensive plan will be referred to and utilized for all future development, planning, or implementation decisions within the community.	Number of decisions made in which the plan was referred to (should be reflected in meeting minutes)	To ensure the usefulness and implementation of the plan to the maximum extent possible
Adequate town funding and staffing shall be maintained to properly administer community programs (i.e., permits, land use controls, etc.).	Complaints from residents on lack of administration, number of staff hours devoted to program administration	Ensure cost effectiveness and efficiency while meeting the requirements of program implementation

## Housing

Policy	Indicator of Policy	Purpose
A comprehensive building code shall be maintained that requires inspection of new structures and repair of unsafe and unsanitary housing conditions. The Wisconsin Historic Building Code shall apply to state designated historic buildings.	Number of inspections performed evaluating compliance with building code, number of building code reviews made to determine effectiveness and maintenance of code	To minimize the negative effects of unsafe housing conditions and to maintain the existing housing stock for future use
Clustered residential development should be promoted to minimize land use impacts in the RCC, NF, PT and RP land use management areas.	Number of new homes developed that are not in clusters within the RCC, NF, PT or RP compared to the number that were located within clusters	To reduce potential impacts from residential development on natural resources and general community design
High density residential development (lot sizes of less than 40,000 square feet) will only be allowed in: existing approved plats, in the RS and RP land use management areas, in areas served by sanitary sewer.	Number of developments allowed beyond those areas that are indicated	To reduce the impacts of dense residential development while allowing for the development where most appropriate

## Transportation

Policy	Indicator of Policy	Purpose
The existing road network and public facilities/services will be utilized to accommodate new development to the maximum extent possible.	Amount of new roads and/or public facilities/services that were required to serve new development	To cost effectively allow for new development while minimizing the public expenditures required to support that development
Developers shall be required to bear an equitable share of the costs for improvements and extensions to the transportation network.	Amount of funding received from developers for transportation related activities vs. amount required by the town to serve new development	To minimize the financial responsibility of the town for servicing new development
Transportation facilities shall be designed to accommodate bicyclists and pedestrians according to the Door County Bicycle and Pedestrian Plan.	Amount and type of new transportation facilities developed, number that accommodate bicyclists/pedestrians vs. number that do not	To allow for implementation of County Bicycle and Pedestrian Plan, to encourage multiple modes of transportation
The PASER (Pavement Surface Evaluation and Rating) system for road maintenance and project budgeting will be the primary tool used to prioritize local road improvement projects.	Number of times that PASER was utilized, number of improvement projects that were selected based on PASER recommendations	To objectively identify road maintenance and construction priorities

## Utilities and Community Facilities

Policy	Indicator of Policy	Purpose
Concentrated residential developments shall contain or be within the service area of a park facility that provides either active or passive recreation opportunities.	Change in the number of residential areas within the service area of a park	To allow access to park facilities at a reasonable distance to maximize the number of residents that can enjoy the benefits of such areas
Stormwater management will be addressed as a requirement of all development proposals with an appropriate level of review based on potential negative impacts caused by construction site erosion and post-construction runoff.	Number of proposals that address stormwater management vs. number that do not, type and intensity of review made of development proposals with regard to stormwater management	To ensure that new development does not increase the chances of erosion, flooding or other negative impacts to surrounding areas and natural features
An approved Capital Improvement Plan/Budget must support the development of new public facilities.	Number of new facilities constructed that are supported by CIP or budget related documents	To ensure that long and short term development of public facilities is in the best interest of the community and a financially sound decision

## Agricultural, Natural, and Cultural Resources

Policy	Indicator of Policy	Purpose
The conversion and fragmentation of designated environmental corridors and contiguous natural corridors within the NF land use management area by new development, roads, and utilities will be minimized.	Amount of environmental corridors or similar features lost to new development, number of corridors that are no longer contiguous due to development	To reduce fragmentation of environmental features and corridors which affect the migration patterns of animals and the overall rural and natural attributes of the community
An inventory of historically significant and archeological sites will be maintained to ensure that they are accurately identified to promote and target preservation and rehabilitation efforts.	The development and maintenance of the inventory, number and types of preservation/rehabilitation efforts that have been pursued	To maintain the historic features of the area for future generations as well as to maintain the usefulness of the site for residential, commercial, or tourism use
Household hazardous waste collection will be performed at least once every five years.	Number of times collection efforts were pursued within a five year period	To minimize the negative impacts of improper disposal of hazardous waste
Proposed developments within the RCC and NF land use management areas will be located and designed to minimize impacts to adjacent farming operations and to preserve the right to farm.	Number of complaints from farm operators and/or rural residents related to conflicts between homes and farms	To maintain the farmers right to farm within the community while allowing for new development

## Economic Development

Policy	Indicator of Policy	Purpose
Future development will include a reasonable assessment of impacts to the town's tax base, public facilities, services, and infrastructure.	Number of developments that included an assessment vs. number that did not	To monitor the fiscal impacts of new development over time and prevent negative impacts to the town's tax base
Future commercial and industrial development shall employ site and building designs that include: - Attractive signage and architecture - Shared highway access points - Screened parking areas - Landscaping - Efficient traffic and pedestrian flow - Commercial cluster design that promotes mixed-use infill as described in the <i>Land Use</i> element.	Number of commercial and industrial developments that employ improved site and building designs including the supporting points	To improve the appearance and function of commercial and industrial areas and reduce adjacent land use impacts or conflicts, maintain community design and the rural nature of the area
Incentives may be considered by the town for developments that diversify the local economy.	Number of incentives discussed publicly, number pursued	To strengthen and stabilize the employment base of the area while meeting local demand for services and goods

## Intergovernmental Cooperation

Policy	Indicator of Policy	Purpose
Intergovernmental agreements will be reviewed annually for their effectiveness and efficiency.	Number of reviews completed annually	To ensure agreements remain effective, equitable, and efficient
Opportunities for coordinated implementation activities including shared administration and joint ordinance development should be pursued with the City of Sturgeon Bay, Door County, and neighboring towns.	Number of shared implementation services pursued, number discussed at public meetings	To minimize costs associated with implementation and increase strength of intergovernmental relationships
Stormwater planning and management activities should be pursued jointly with the City of Sturgeon Bay in areas of mutual concern.	Number of areas identified, number of meetings held to discuss management activities, number of activities pursued	To protect ground and surface water quality, especially in vital water supply areas

## Land Use

Policy	Indicator of Policy	Purpose
All development proposals approved in the town shall meet the intent of the Preferred Land Use Map and land use management area definitions and objectives as described within the <i>Land Use</i> element or as amended in accordance with due process requirements.	Number of developments in conformance with the comprehensive plan and its related objectives	To allow for the full implementation of the plan in accordance with the goals, objectives, and policies that were determined to be in the best interest of the community for the future
All land divisions approved after the adoption of this plan should meet the density and minimum lot size requirements for the applicable land use management area as established within the <i>Land Use</i> element.	Number of land divisions meeting density and lot size requirements	To ensure that development takes place at appropriate densities in order to accommodate anticipated growth while preserving the sustainability of existing land uses and the character of the town
Future highway corridor development should be clustered in designated areas including the CHC and RCM land use management areas.	Number of developments along the highway corridor that are contained within planned CHC and RCM management areas	To increase the effectiveness of the highway corridor for economic use and reduce land use impacts
The level of detailed information, analysis, and proof that are required to satisfy land use management area review criteria will be scaled to the intensity of the proposed development and codified by town ordinance.	Number of conflicts or complaints resulting from overly burdensome review of development, number of review criteria that are not detailed by town ordinance	To ensure the elements of fairness and reason in the administration of land use controls and programs

## Implementation

Policy	Indicator of Policy	Purpose
The town shall maintain a code of ordinances that conforms with the Town of Nasewaupee Comprehensive Plan and meets the identified needs of the town.	Adoption and ongoing development of the code of ordinances	To ensure that regulatory implementation tools are adopted in a coordinated and legally sound manner
Periodic review and update (every 5 to 10 years) of the comprehensive plan shall be conducted with public involvement including citizens, landowners, community officials and staff to evaluate the plan in an un-biased manner.	Number of reviews conducted in 5-10 year periods, amount of local involvement in review process, number of residents in attendance at meetings	To ensure that the plan remains viable as issues change within the town and that changes are made based on accurate data and supported by citizens, landowners, and other interested parties
Areas of the plan that are disputed or litigated in the future should be reviewed by the town attorney to ensure his/her knowledge of the plan and to solicit suggestions to reduce conflict.	Number of reviews or consultations made with attorney, number and type of suggestions offered by attorney	To minimize conflict and litigation while ensuring compliance with local, state, and federal law
Plan implementation will be fair and equitable.	Number of complaints and conflicts or amount of litigation resulting from comprehensive plan implementation	To ensure that the plan is utilized in a fair and equitable manner that is supported by landowners and citizens

## 9.5 Process for Updating and Amending the Comprehensive Plan

### Comprehensive Plan Amendments

The Town of Nasewaupee should regularly evaluate its progress towards achieving the goals, objectives, policies, and recommendations in the comprehensive plan. It may be determined that amendments are needed to maintain the effectiveness and consistency established in the plan. Amendments are minor changes to the overall plan and should be done after careful evaluation in a non-accommodating manner to maintain the plan as a planning tool upon which decisions are based.

According to “Smart Growth” legislation, the same process that was used to initially adopt the plan shall also be used when amendments are made. The town should be aware that as more smart growth compliant plans are developed the amendment procedure may be clarified or changed and should therefore be monitored.

The Town of Nasewaupee, in order to ensure that the requirements of sec. 66.1001(4), Wis. Stats., are met, is required to follow these steps to amend the plan:

- ♦ The established public participation procedures must be followed and need to provide an opportunity for written comments to be submitted by members of the public to the Town Board and for the Town Board to respond to such written comments.
- ♦ The Plan Commission will then recommend its proposed comprehensive plan amendment to the Town Board by adopting a resolution by a majority vote of the entire Plan Commission. The vote shall be recorded in the minutes of the Plan Commission. The resolution shall refer to maps and other descriptive materials that relate to one or more elements of the comprehensive plan.
- ♦ One copy of the comprehensive plan amendment adopted by the Plan Commission for recommendation to the Town Board is required to be sent to: (a) Every governmental body that is located in whole or in part within the boundaries of the town, including any school district, town sanitary district, public inland lake protection and rehabilitation district, or other special district, (b) The clerk of every city, village, town, county, and regional planning commission that is adjacent to the town, (c) The Wisconsin Land Council, (d) After September 1, 2003, the Department of Administration, (e) The regional planning commission in which the town is located, (f) The public library that serves the area in which the town is located.
- ♦ The Town Board, by a majority vote, will then approve an ordinance for the amendment to take effect. The ordinance will then be filed with the serving public library and the clerk of all adjacent local governmental units.

### **Comprehensive Plan Update**

Wisconsin Smart Growth legislation requires that the comprehensive plan be updated at least once every ten years. An update requires revisiting the entire planning document. Unlike an amendment, an update is often a substantial re-write of the text, updating of the inventory and tables, and substantial changes to maps, if necessary. The plan update process should be planned for in a similar manner as was allowed for the initial creation of this plan including similar time and funding allotments. State statutes should also be monitored for any changes, new or removed language.

## **9.6 Implementation Policies and Recommendations**

### **Policies**

Policies identify the way in which activities are conducted in order to fulfill the town's land use goals and objectives. Policies that direct action using the words "shall" or "will" are advised to be mandatory aspects of the implementation of the Town of Nasewaupée Comprehensive Plan.

In contrast, those policies using the words “should” or “may” are advisory and intended to serve as a guide.

- ♦ The Plan Commission shall make recommendations to the Town Board regarding land use and development proposals.
- ♦ The comprehensive building code and land division ordinance components of the land use management system shall be completed before lifting the moratorium (Ordinance No. 02-02 and related extensions and amendments).
- ♦ The town shall maintain a code of ordinances that conforms with the Town of Nasewaupée Comprehensive Plan and meets the identified needs of the town.
- ♦ The land use management system and related codes should include provisions for the grandfathering of nonconforming uses, lots, and structures.
- ♦ Plan implementation will be fair and equitable.
- ♦ Periodic review and update (every 5 to 10 years) of the comprehensive plan shall be conducted with public involvement including citizens, landowners, community officials, and staff to evaluate the plan in an un-biased manner.
- ♦ State of Wisconsin Comprehensive Planning legislation shall be monitored to assure compliance.
- ♦ Areas of the plan which are disputed or litigated in the future should be reviewed by the town attorney to ensure his/her knowledge of the plan and to solicit suggestions to reduce conflict.

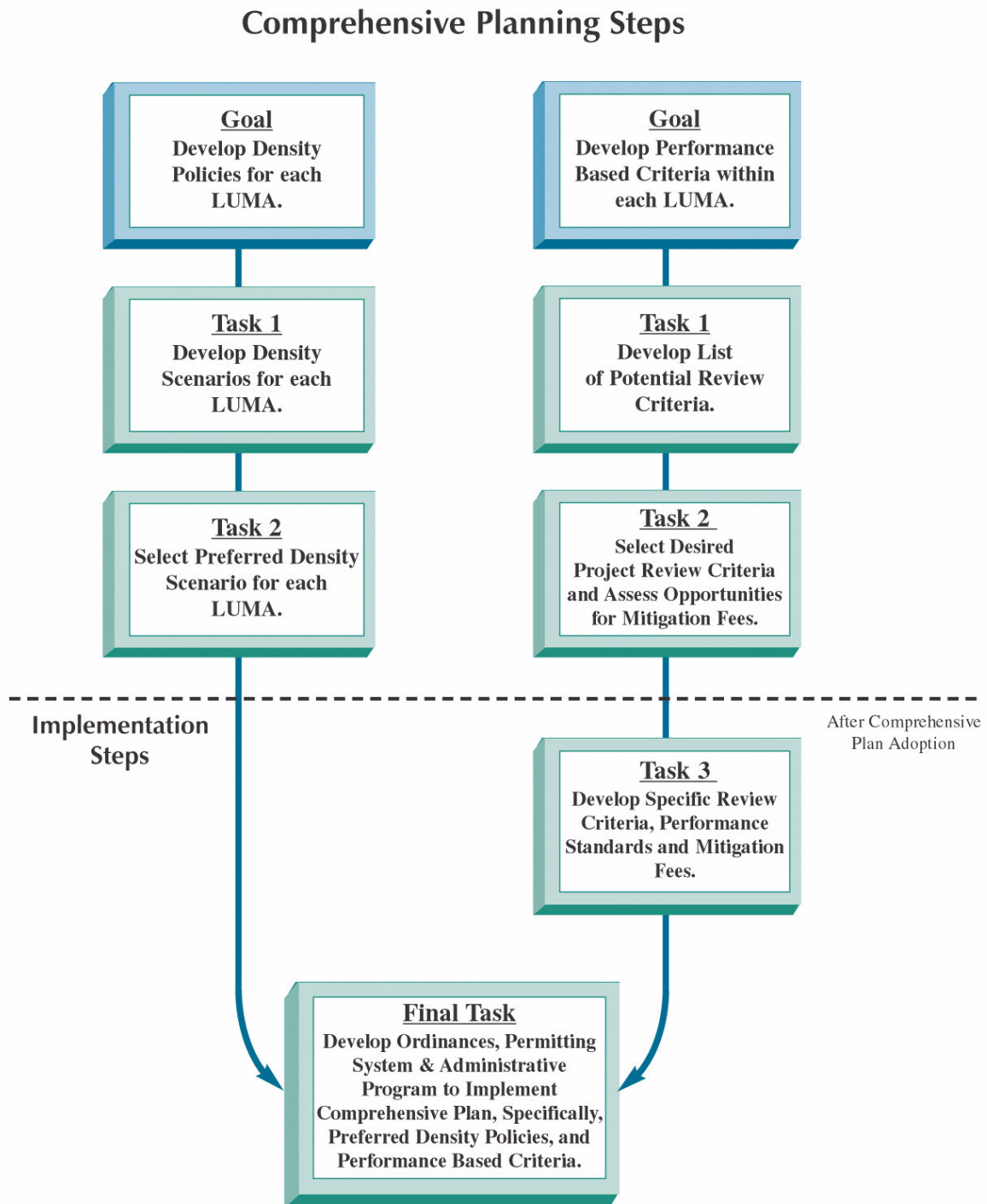
## **Recommendations**

1. Continue the process of implementation planning by refining the review criteria, developing specific performance standards, and establishing mitigation options. See Figure 9-2 below.
2. The town should make use of a Unified Development Ordinance (UDO) or similar tool when creating its code of ordinances. The intent of a UDO is to provide an opportunity to coordinate the creation of all codes and ordinances into a functional and user-friendly package. A UDO makes minimal use of technical terms and focuses on describing the process steps that are required for different types of development proposals.
3. The town should adopt a comprehensive land use management system that codifies the land use policies of this plan. Key components of the system should be a comprehensive building code and land division ordinance. The building code should not only address

structural soundness, but also building design, setbacks, and all issues related to the placement of structures. The land division ordinance should address desired development densities, stormwater management, and all issues related to the creation of new parcels. Once the core components are completed, the town should set priorities for the development of secondary supporting ordinances.

4. The town should continue to work diligently toward ending the moratorium. Basic administrative provisions that must be in place before lifting the moratorium should include a building and land division permit application, review, and issuance system. This includes hiring a town land use administrator. Design review standards for commercial development should also be established.
5. Efforts to develop codes, ordinances, and other implementation tools should continue in the same spirit of public participation that was employed throughout the comprehensive plan development process.
6. The town should maintain village powers and all appropriate administrative, quasi-judicial, and ministerial posts necessary for full implementation of the comprehensive plan. These posts include the plan commission, the board of adjustment, and qualified land use administration staff.
7. The town should assess its need for and the potential duties of land use administration staff. When the resources needed to maintain this staff have been secured, the town should then proceed with seeking the qualified individual(s) to perform the required duties.
8. Exploration of intergovernmental cooperation opportunities should continue throughout the implementation process. High priority issues with good probability of success include the development of building and streetscape design review criteria with the City of Sturgeon Bay, the pursuit of compatible stormwater management regulations with the city, the pursuit of environmental protection strategies with the city in wellhead protection areas, and the pursuit of land division and density tracking capabilities with Door County.

**Figure 9-2**  
**Implementation of the Land Use Management System**  
**Town of Nasewaupee**



# **Appendix A**

## **Existing Development Regulations**

## **Existing Development Regulations**

The Town of Nasewaupee, Door County, and the State of Wisconsin all have land use and development regulations that currently apply in the town. A general description of these land use controls follows. For more information, the applicable ordinance must be consulted.

### **Town of Nasewaupee Ordinance Regulating the Parking and Location of House Trailers**

This ordinance was established to regulate campers and camper trailers. It prohibits the use of campers for permanent occupancy and only allows them to park in designated campgrounds. It establishes siting criteria for such campgrounds. Fees and penalties are also set.

### **Town of Nasewaupee Ordinance Establishing a Bulkhead Line**

This ordinance established a boundary along the bay up to which property owners could conduct limited filling activities in order to improve access to the water. The Department of Natural Resources holds that their approval has expired, but the town ordinance is still in effect at present.

### **Town of Nasewaupee Ordinance Regulating Holding Tanks**

This ordinance requires a town permit for the use of a holding tank as an onsite waste treatment system for new construction. A fee is established, and holding tank pumping reports must be filed with the town or the county.

### **Town of Nasewaupee Ordinance Regulating Off-Premise Signs**

This ordinance establishes standards for the location, size, and appearance of outdoor advertising signs. A town permit is required. Fees and penalties are established.

### **Town of Nasewaupee Transportation and Deposit of Construction and Demolition Waste**

This ordinance requires a town permit and the payment of a fee when town roads are used for the transport of construction or demolition waste. It prohibits the transport of hazardous wastes on town roads.

### **Town of Nasewaupee Mining and Quarrying Ordinance**

This ordinance establishes standards for the siting and operation of nonmetallic mines. Permit and application fees are outlined, and penalties for violations are established.

### **Town of Nasewaupee Directives for Private Driveways**

This ordinance suggests that driveways are constructed to certain standards for the safe ingress and egress of emergency vehicles. It includes a statement releasing the Southern Door Fire

Department from liability for damages caused while fighting a fire on a property not served by a compliant driveway.

### **Town of Nasewaupee Ordinance Enacting a Building Code**

This ordinance requires the issuance of a building permit for the construction or remodeling of any structure. It includes provisions for driveways and building setbacks and references state and federal building codes. Nominal permit fees and penalties are established. Permits have been issued, but the performance standards of this ordinance have not been fully enforced in the town.

### **Door County Zoning Ordinance**

Responsible Agency: Door County Zoning Department

Jurisdiction: Applies to the shoreland zone and towns that have adopted the ordinance

#### **Summary of Provisions**

This ordinance provides comprehensive zoning regulations. The Town of Nasewaupee has not adopted this ordinance to apply throughout the town, but its provisions still apply within the shoreland zone. The shoreland zone includes lands within 300' of a navigable stream or river, or within 1000' of a lake, pond, or flowage (including the bay). This ordinance establishes districts within which a uniform set of regulations apply. Major provisions include:

- ◆ Official zoning maps for each town designating agricultural, residential, commercial, recreational, industrial, and conservation areas.
- ◆ Permitted, conditional, and prohibited land uses for each zoning district.
- ◆ Establishes procedure for detailed site plan review and uses for which it is required.
- ◆ Minimum standards for lot sizes and dimensions for each zoning district.
- ◆ Establishes maximum housing densities.
- ◆ Establishes minimum proportions of open space for certain uses.
- ◆ Establishes maximum proportions of impervious surface for certain uses.
- ◆ Requires setback distances for structures from property lines, roads, and waterways.
- ◆ Establishes maximum height limitation for certain structures.
- ◆ Requires landscape buffers between certain commercial and industrial uses.

- ◆ Prohibits the outdoor storage of excessive amounts of junk material.
- ◆ Regulates filling and grading activities on lands that slope toward water.
- ◆ Contains special regulations unique to certain towns as requested by those towns.
- ◆ Specific requirements for certain uses such as: farm markets, model homes, auto repair facilities, home occupations, day care centers, nonmetallic mines, salvage yards, campgrounds, manufactured homes, etc.
- ◆ Requirements for protection of natural features such as: escarpments, drumlins, dunes, woodlands, shorelands, wetlands, etc.
- ◆ Standards for planned residential developments.
- ◆ Parking, loading, and access requirements.
- ◆ Sign regulations, including special regulations unique to certain towns.
- ◆ Limitations for nonconforming lots, structures, and uses.
- ◆ Provisions for variance application.
- ◆ Procedures for enforcement and penalties

## **Door County Land Division Ordinance**

Responsible Agency: Door County Zoning Department

Jurisdiction: Applies to all unincorporated areas of Door County

### **Summary of Provisions**

This ordinance regulates the division of land into parcels and sets minimum standards for lot dimensions, improvements, and dedications. The ordinance generally applies any time a land division occurs that results in a parcel that is less than 10 acres in size. The major provisions include:

- ◆ Certified Survey Map required for land divisions resulting in 1 to 4 lots (minor land division).
- ◆ Plat review required for land divisions resulting in 5 lots or more (major land division).
- ◆ Establishes procedure for CSM and Plat review.
- ◆ Establishes standards for the creation of condominium land ownership.

- ♦ Establishes standards for design of streets, lots, blocks, and building sites.
- ♦ Requires stormwater management for major land divisions.

### **Door County Floodplain Zoning Ordinance**

Responsible Agency: Door County Zoning Department

Jurisdiction: Applies to floodplains in the unincorporated areas of Door County.

#### **Summary of Provisions**

This ordinance regulates development in areas prone to flooding as mapped by the Federal Emergency Management Agency (FEMA). Open space uses are generally preferred to structural uses in the areas with the highest risk for flooding (floodways). Structural uses may be allowed with certain modifications in the areas with a lower risk of flooding (flood fringe). Major provisions of this ordinance include:

- ♦ Obstructions to the conveyance of floodwaters are prohibited.
- ♦ Allowed uses in the floodway include farm fields and pastures, loading and parking areas, airport landing strips, etc.
- ♦ Structures in the flood fringe must be raised to 2' above the regional flood elevation.
- ♦ Areas not delineated as floodway or flood fringe require further detailed study before structural uses are allowed.

### **Door County Communication Tower Ordinance**

Responsible Agency: Door County Zoning Department

Jurisdiction: Applies to all unincorporated areas of Door County

#### **Summary of Provisions**

This ordinance regulates the construction and alteration of communication towers. Major provisions include:

- ♦ Allows towers in certain agricultural, low density residential, commercial, and industrial zoning districts and prohibits them in other zones.
- ♦ Does not require a public hearing, but does require 3rd party technical review at the expense of the applicant.
- ♦ Establishes standards for tower color, lighting, accessory buildings, access driveways, fencing, landscaping/screening, and noise.
- ♦ Establishes setbacks from residences, property lines, waterways, and public roads.

- ◆ Requires annual reporting and removal of inactive towers.

### **Door County Height Limitation Zoning Ordinance**

Responsible Agency: Door County Zoning Department

Jurisdiction: Applies to lands surrounding the Cherryland Airport

#### **Summary of Provisions**

This ordinance establishes the Official Door County Height Limitation Zoning Map and regulations that promote the safety of the airspace surrounding the Cherryland Airport. The major provisions of this ordinance include:

- ◆ Building and vegetation heights are limited within the runway approach areas.
- ◆ Lighting glare and electrical interference are prohibited.
- ◆ Hazards to aircraft must be marked or lighted.

### **Door County Wind Energy Systems Ordinance**

Responsible Agency: Door County Resource Planning Committee

Jurisdiction: Applies to all unincorporated areas of Door County

#### **Summary of Provisions**

This ordinance regulates the construction and modification of wind energy systems (WES) with structures over 100 feet in height or blade assemblies with a diameter greater than 30 feet. It also provides protection of wind energy system sites from blockage of wind by the actions of surrounding property owners. Major provisions of this ordinance include:

- ◆ Construction or modification of a WES requires a permit and public hearing.
- ◆ After a valid permit is granted, surrounding properties are prohibited from blocking the flow of the wind by new (not pre-existing) structures or new vegetation.
- ◆ Termination of wind access rights may occur if the site is not constructed within two years or inactive for a period of two years.
- ◆ WES are permitted only in rural, low density zoning districts.
- ◆ Setbacks are established from residences, other buildings, roads, and property lines.
- ◆ Density and spacing standards are established.

- ◆ Requirements are established for appearance including color, lighting, and site design.

## **Door County Private Onsite Wastewater Treatment Systems Code**

Responsible Agency: Door County Sanitarian

Jurisdiction: Applies to all (incorporated and unincorporated areas) of Door County

### **Summary of Provisions**

This ordinance works in conjunction with Department of Commerce rules to regulate the installation, modification, and operation of private onsite wastewater treatment systems (POWTS) or septic systems. It includes the following major provisions:

- ◆ DNR regulations also apply for very large systems.
- ◆ Prohibits towns from issuing building permits unless a valid sanitary permit is held.
- ◆ Requires that towns uphold the required POWTS component setbacks when issuing building permits.
- ◆ Establishes authority for inspections and penalties for violations.
- ◆ Prohibits the discharge of wastewater to surface waters, the ground surface, and cesspools.
- ◆ Prohibits all systems, regardless of their age, from having an infiltrative surface that discharges to bedrock or groundwater.
- ◆ Requires owners of POWTS to maintain a service contract with a certified POWTS maintainer, service their system at least every 12 months, and report to the county after each servicing.

## **Door County Nonmetallic Mining Reclamation Ordinance**

Responsible Agency: Door County Soil and Water Conservation Department

Jurisdiction: Applies to all (incorporated and unincorporated areas) of Door County

### **Summary of Provisions**

This ordinance works in conjunction with Department of Natural Resources rules and requires all nonmetallic mine sites to file reclamation plans and obtain an annual operating license. Generally, those sites that are regulated are those over one acre in size where materials are removed from the property for use at another location. Several exemptions are listed including domestic and farm use, pond excavations, and building site preparation. The major provisions of this ordinance include:

- ♦ Reclamation plans must include reduction of slopes, reestablishment of topsoil, revegetation, and erosion control.
- ♦ Financial assurance and plan review fees must be provided based on the size of the site.
- ♦ Public notice and public hearing must be provided by the county for all new sites, even in towns not under county zoning.
- ♦ A simplified permitting process and reduced fee schedule are provided for town road project related borrow sites.

## **Door County Animal Waste Storage Facility Ordinance**

Responsible Agency: Door County Soil and Water Conservation Department

Jurisdiction: Applies to all (incorporated and unincorporated areas) of Door County

### **Summary of Provisions**

This ordinance regulates the construction and modification of animal waste storage facilities. It references NRCS (Natural Resource Conservation Service) technical standards and requires a county permit for the construction of such structures. Special consideration is given to sites with shallow depth of soil to bedrock, presence of creviced bedrock, or drainage to sinkholes. The ordinance contains the following provisions:

- ♦ An engineered plan must accompany a permit application.
- ♦ Applicants must certify in writing that facilities were constructed according to the approved design.
- ♦ Inspection authority and penalties for violations are established.

## **Servicing of Holding Tanks and Septic Tanks (Door County)**

Responsible Agency: Door County Health Commission

Jurisdiction: Applies to all unincorporated areas of Door County

### **Summary of Provisions**

This ordinance prohibits unauthorized land spreading of holding tank, septic tank, seepage pit, or grease trap waste. All waste that is not delivered to a public wastewater treatment system may only be landspread on approved sites. The following major provisions apply:

- ♦ Minimum of 36 inches of soil above high groundwater or bedrock
- ♦ Limited spreading on pasture land or land growing vegetables for human consumption.
- ♦ Limitations for spreading relative to land slopes.
- ♦ Setbacks required from ditches, waterways, floodplains, property lines, wells, and buildings.
- ♦ Limits on rates of disposal.
- ♦ Soil permeability considerations.
- ♦ More strict regulations for waste that is not immediately plowed into the soil.

## **Door County Nuisance Ordinance**

Responsible Agency: Door County

Jurisdiction: Applies to all unincorporated areas of Door County

### **Summary of Provisions**

This ordinance defines activities and conditions that are considered nuisances. It prohibits the creation or maintenance of nuisances and provides an enforcement mechanism including penalties. The following activities and conditions are included as defined nuisances:

- ♦ Accumulations of solid waste.
- ♦ Any inoperable or unlicensed vehicle.
- ♦ Emissions of foul odors.
- ♦ Dilapidated structures.

- ♦ All unreasonably loud or unusual noises.
- ♦ Obstructions to the view at intersections or to travel on public ways
- ♦ Improperly used or stored hazardous or flammable substances.
- ♦ Sale of food or drink unfit for consumption.
- ♦ Uncontrolled or unsanitary animals.
- ♦ Failure to control nuisance weeds

### **Wisconsin Statutes Chapter 236, Platting Lands and Recording and Vacating Plats**

Responsible Agency: Wisconsin Department of Administration

Jurisdiction: Applies to all lands within Door County

#### **Summary of Provisions**

This code requires state level review of land divisions that create five or more lots 1.5 acres or less in size within a period of five years. The major provisions include:

- ♦ All local (county, town, etc.) approvals are required by reference, and state review will not be less restrictive than any local requirements or conditions of approval.
- ♦ A certified survey and plat map are required for regulated land divisions.
- ♦ Standards for surveying and monumenting are established.
- ♦ Standards for minimum lot sizes and dimensions (at least 7200 sq. ft. in area and 60 ft in width).
- ♦ Public access is required at least every ½ mile along the shoreline of a body of water.
- ♦ Establishes authority of town plan commissions to adopt local land division regulations.

### **Wisconsin Administrative Code Chapter Trans 233, Division of Land Abutting a State Trunk Highway or Connecting Highway**

Responsible Agency: Wisconsin Department of Transportation

Jurisdiction: Applies to lands abutting state highways and certain connecting highways

#### **Summary of Provisions**

This code requires Department of Transportation review of all land divisions that take place along designated state highways. Certain activities along the abutting land can

impact the safety and efficiency of the highway system. In Nasewaupee, this code applies to all of Highway 57 and a small portion of Highway 42 near the intersection with 57. Major provisions include:

- ♦ All land divisions are regulated regardless of size or number of lots.
- ♦ Direct vehicle access to state highways is limited.
- ♦ A setback is required from state highways: 110' from centerline or 50' from right-of-way, whichever is greater.
- ♦ Visual clearance is required at intersections.
- ♦ Increases in stormwater runoff toward a state highway are prohibited.

### **Wisconsin Administrative Code Chapter Trans 231, Permits for Driveways and Alterations in State Trunk Highways**

Responsible Agency: Wisconsin Department of Transportation

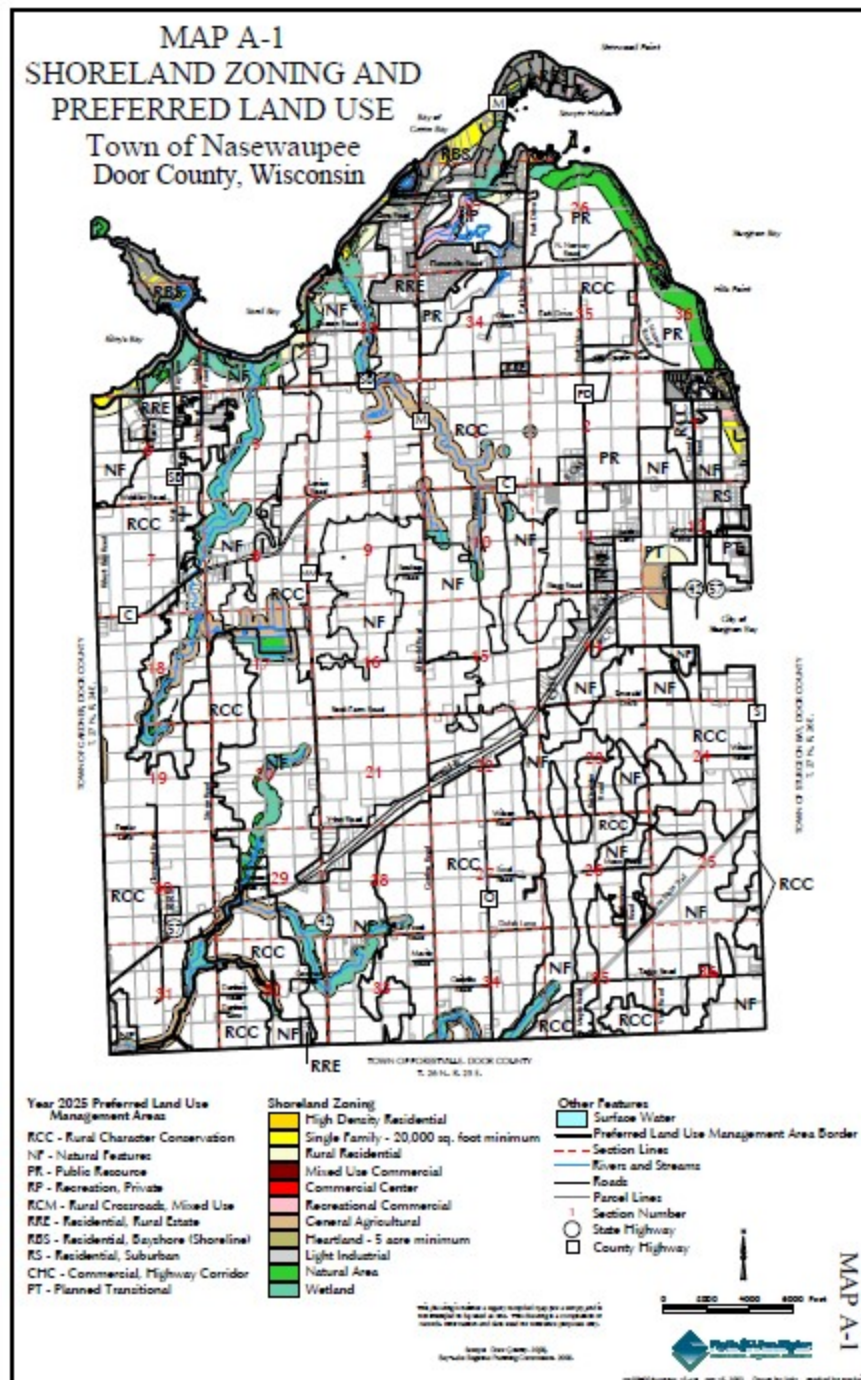
Jurisdiction: Applies to state highway access points

#### **Summary of Provisions:**

Permits are required to construct or alter driveways and road/street connections on state highways. Regulated activities include constructing a new driveway or road/street connection, altering an existing driveway or road/street connection, and changing the use (residential, commercial, field entrance, etc.) of an existing driveway. Property owners or local agencies are allowed to perform routine maintenance (e.g. sealing asphalt, grading gravel, culvert repair and cleanout, etc.) on their driveways or road/street connections. This work can typically be done without a permit, unless the work affects traffic in some manner. The following definitions apply:

- ♦ Alteration means any physical change to the characteristics of a driveway or road/street connection beyond routine maintenance such as widening, paving or increasing the culvert size.
- ♦ Change of use means any modification to a property that results in a change in the number and/or types of vehicles using the property's driveway(s) to a highway. Property modifications may include, but are not limited to: changing the building use from residential to commercial or industrial, building additional structures, subdividing to accommodate additional residences or businesses, or changing the type of business.

## Map A-1 Shoreland Zoning and Preferred Land Use



# **Appendix B**

## **Public Participation Plan**

**Public Participation Plan  
for the development of a  
Comprehensive Plan  
for the Town of Nasewaupee, Door County  
(Last Updated: 03-30-01)**

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## **Introduction**

The town of Nasewaupee will develop a comprehensive plan as defined in section 66.0295 of the Wisconsin Statutes to guide community actions and to promote more informed land use decisions. Section 66.0295 (4) (a) of the Wisconsin Statutes specifies that the governing body of a local governmental unit preparing a comprehensive plan must adopt written procedures that are:

*“Designed to foster public participation, including open discussion, communication programs, information services and public meetings for which advance notice has been provided, in every stage of the preparation of a comprehensive plan.”*

In addition, the written procedures must:

*“Provide for wide distribution of proposed drafts, alternative, and amended elements of a comprehensive plan, and shall provide an opportunity for written comments on the plan to be submitted by members of the public to the governing body and for the governing body to respond to such written comments.”*

The following Public Participation Plan has been developed by the town of Nasewaupee Plan Committee to foster public participation throughout the comprehensive planning process in the spirit and intent of section 66.0295 (4) (a) of the Wisconsin Statutes. It also includes previous public participation efforts that will be utilized in the development of a town of Nasewaupee Comprehensive Plan.

## **Previous Public Participation Efforts**

The town of Nasewaupee initiated efforts to plan for the town’s future in 1997. The ongoing planning effort has included keeping the public informed of local planning activities and providing a number of opportunities to gather public input. These previous public outreach efforts are summarized below and shall be included as part of the public participation effort for developing the comprehensive plan:

### **◆ Preliminary Planning Meetings**

Town residents and officials participated in several 1997 public meetings involving local government officials and planning professionals on prospects for coordinated land use planning.

◆ Appointment of a Town Plan Committee

The Town Board appointed a six-member Plan Committee to assist in guiding the local planning process and to oversee the development of the town's comprehensive plan. The Plan Committee first met on October 2, 1997, and since this date has generally met twice a month. All meetings of the Plan Committee are open to the public and have met the statutory requirements of the open meeting law.

◆ Five Town Plan Committee Meetings

The town of Nasewaupee has participated in joint meetings with the plan committee's from the town's of Brussels, Forestville, Gardner, Nasewaupee and Union generally on a monthly to quarterly basis since July 1997. The objectives of the joint plan committee meetings include: 1) inform and educate residents and landowners about local planning efforts; 2) share information; 3) update and coordinate individual town planning efforts; and 4) identify solutions related to growth management in Southern Door County towns. All joint town plan committee meetings are open to the public and have met the statutory requirements of the open meeting law.

◆ 1998 Southern Door County Towns Workshop Series

The town of Nasewaupee in partnership with the town's of Brussels, Forestville, Gardner, and Union held the following four community workshops to inform and gather input from Southern Door County residents and landowners: 1) Cultural & Social Resources of Southern Door County (held on June 25, 1998); 2) Land and Water Resources of Southern Door County (held on July 23, 1998); 3) Bluffs, Woodlands, Plants and Animals of Southern Door County (held on August 27, 1998); and 4) Current Trends in Southern Door County (held on September 24, 1998). All four workshops provided for opportunities for public input related to workshop topics.

◆ 1998 Land Use Surveys of Southern Door County Towns

The town of Nasewaupee in partnership with the town's of Brussels, Forestville, Gardner, and Union, and with assistance from the Door County Planning Department and Door County UW-Extension Office, conducted a land use survey in 1998 which was mailed to 4,821 landowners and registered voters. The survey included 26 common questions as well as questions specific to individual towns. The issues explored in the surveys came from discussions, comments, and questions raised by individual Town planning committee members and the public attending the series of four 1998 community workshops described previously. Additional questions probed attitudes toward recommendations in the 1995 Door County Development Plan. The responses totaled 1,678, or 34.8%, of those mailed. In Nasewaupee, 654 out of 1,873, or 34.9%, of the mailed surveys were returned. The land use survey results were presented at a public meeting held on March 25, 1999, and compiled in a final report for public distribution, by the Door County Planning Department and Door County UW-Extension Office.

◆ 1998/1999 Southern Door County Newsletter

The town of Nasewaupee in partnership with the town's of Brussels, Forestville, Gardner, and Union, and with assistance from the Door County UW-Extension Office, prepared and mailed a series of six monthly newsletters between June and October of 1998 to Southern Door County households and land owners. The newsletters provided updates on local planning efforts and accomplishments, summary of the upcoming planning meetings and events, contacts for more information, as well as other planning related information. Another newsletter was mailed in November 1999 to discuss issues such as local land use ordinance administration and land use management options.

◆ Land Use and Planning Workshop

The town of Nasewaupee held a Land Use and Planning Workshop on April 8, 2000 to obtain input from Town residents and landowners on their perception of how the Town Board and Plan Committee should address a variety of planning issues within the community. To announce the meeting, post cards were mailed to Town of Nasewaupee residents and landowners and public notices were placed in the Door County Advocate. The Door County Advocate also ran an article describing the workshop. In addition, official public meeting notices and posters were posted in strategic locations and road sign advertisements were posted at two strategic locations.

The land use and planning workshop began with a presentation by the town's planning consultant summarizing Town planning accomplishments to-date, planning motivations/benefits, the basic elements of community comprehensive plans, history of state planning enabling laws, and the state "*Smart Growth*" legislation. Following this presentation, workshop participants were asked to provide input related to the following seven identified issue areas: 1) residential development and housing; 2) farming and farmland; 3) natural, cultural and recreational resources; 4) community character/atmosphere; 5) economic development; 6) water resources; and 7) inter-governmental cooperation.

A total of 83 workshop participants identified 176 ideas/recommendations. Workshop participants were given the opportunity to rate their level of support for each idea/recommendation generated. The results of the workshop are contained within a document entitled: *Land Use and Planning Workshop, Town of Nasewaupee, Wisconsin, April 2000*.

### **Future Public Participation Efforts**

The town of Nasewaupee will build upon and integrate the above public participation accomplishments in the development of a comprehensive plan. The town will continue to foster public participation through the below "core efforts." However, additional public outreach beyond these "core efforts" may occur during the development of the comprehensive plan.

◆ Comprehensive Plan Timetable

The town of Nasewaupee Plan Committee and Town Board will utilize the attached 2001 - 2002 timetable for guiding development of the comprehensive plan.

◆ Town of Nasewaupee Newsletter

In an effort to keep the community and other governmental units informed and involved throughout the development of the comprehensive plan, the Town Plan Committee will develop and mail a quarterly newsletter to all Town residents and landowners, City of Sturgeon Bay, Southern Door County Towns, Door County Planning Department, UW-Door County Extension Office, Door County Airports and Parks Department, Bay-Lake Regional Planning Commission, Wisconsin Department of Transportation, Wisconsin Department of Natural Resources, local school districts, and others who request to be on the mailing list.

The Town newsletter will keep the community and other governmental units informed on plan development efforts and upcoming meetings/events. The newsletter may also be used as an opportunity to request specific input and comments related to timely topics through attached questions and surveys. The first two editions of the Town newsletter related to the development of the comprehensive plan were distributed in July 2000 and November 2000. Subsequent editions are planned generally on a quarterly basis.

◆ Public Informational Meetings

The Town Plan Committee will hold a minimum of two public informational meetings at key points of the planning process to ensure timely and continuous public input on the development of the comprehensive plan. The first meeting is targeted for July 2001 to allow for public review of: 1) background information and inventory (e.g., maps) results; 2) proposed plan goals/objectives; and 3) draft preferred land use management area scenarios. Public comment will be taken and reviewed by the Plan Committee for guiding the development of the Preliminary Draft Comprehensive Plan.

The second public meeting is targeted for December 2001 to allow for review of proposed policies and program recommendations for each of the nine elements included as part of the Preliminary Draft Comprehensive Plan. Selected Preferred Land Use Management Areas will be presented in concert with the Preferred Year 2020 Land Use Map and proposed implementation strategies. Public comment will be taken and reviewed by the Plan Committee for guiding the development of the Pre-Final Draft Comprehensive Plan.

Additional public information meetings may be scheduled to focus on specific planning topics. Public information meeting times, dates and locations will be announced and noticed as specified within this public participation plan.

◆ Comprehensive Plan Documents

The town of Nasewaupee will develop Preliminary, Pre-Final, and Final Comprehensive Plan documents. These documents will be made available for public review at the following locations:

Door County Library (Sturgeon Bay)  
107 South 4<sup>th</sup> Avenue  
Sturgeon Bay, WI 54235

Southern Door High School Library  
8240 State Highway 57  
Brussels, WI 54204

Nasewaupee Town Hall  
3388 Park Drive  
Sturgeon Bay, WI 54235

Comprehensive plan documents will also be available at town plan committee meetings and the scheduled public hearing for adoption of the comprehensive plan. In addition, the Town will have copies of the preliminary, pre-final and final comprehensive plan documents available for loan and will provide copies of such documents for individual purchase upon request.

◆ Public Hearing

The Town Plan Committee and Town Board will hold a joint public hearing on the Pre-Final Comprehensive Plan. The public hearing is targeted for Spring 2002. The Town Plan Commission will meet to review public comments and make a recommendation to the Town Board for plan adoption. The Town Board will convene to review the Plan Commission recommendation and take action to either adopt, adopt with amendments, or remand the plan back to the Plan Committee for further work. Adoption of the Comprehensive Plan shall be enacted by ordinance and comply with all of the requirements of section 66.0295 (4) (c) of the Wisconsin Statutes. The public hearing time, date and location will be announced and noticed as specified within this public participation plan.

◆ Plan Committee Meetings

The Town Plan Committee will continue to generally meet twice a month (i.e., 2<sup>nd</sup> and 4<sup>th</sup> Thursday of the month) at 7:00 p.m., at the Town Hall. All meetings will be open to the public, and will be noticed as specified within this public participation plan. Time will be set aside at each meeting to allow for public questions and comments.

◆ Multi-Town Plan Committee Meetings

The Town Plan Committee will continue to jointly meet with the town's of Brussels, Forestville, Gardner, and Union generally on a quarterly basis. All meetings will be open to the public, and will be noticed and announced as specified within this public participation plan.

◆ Public Meeting Notices and Announcements

All Town Plan Committee and Town Board meetings, including joint plan committee meetings with the Town's of Brussels, Forestville, Gardner and Union, will be noticed and announced as follows:

- Public meeting and hearing notices will be posted at the following locations:

Nasewaupee Town Hall  
3388 Park Drive  
Sturgeon Bay, WI 54235

Cherryland Airport  
3418 Park Drive  
Sturgeon Bay, WI 54235

P.J.'s of Door County  
7513 Highway 42/57  
Sturgeon Bay, WI 54235

- Announcements of upcoming meetings and availability of comprehensive planning documents will be placed within the Town quarterly newsletter which will be mailed to all Town landowners and residents.
- Public meeting/hearing notices and town newsletters will be mailed to the City of Sturgeon Bay, Southern Door County Towns, Door County Planning Department, UW-Door County Extension Office, Door County Airports and Parks Department, Bay-Lake Regional Planning Commission, Wisconsin Department of Transportation, Wisconsin Department of Natural Resources, local school districts, and others who request to be on the mailing list.
- Public informational meetings and the public hearing will be further advertised through paid newspaper advertisements, portable road signs, and radio.
- The public hearing will be preceded by a class 1 notice that is published at least 30 days before the public hearing is held consistent with section 66.0295 (4) (d) of the Wisconsin Statutes.

- Public meeting notices and announcement will be posted on the Town of Nasewaupee Web Site once it becomes available.
- The town will submit meeting dates, locations and times to Door County for potential posting on the Door County Web Site for Nasewaupee. Information on town meeting dates on the Door County Web Site may also be through a link to the Nasewaupee Web Site once it becomes available.
- The town will also work with the Door County Advocate to generate press releases on local planning efforts.

◆ Town of Nasewaupee Web Site

The town will develop a Nasewaupee Web Site to allow for interested parties to obtain information on development of the comprehensive plan. The types of information to be placed on the Web Site will include, but is not limited to: 1) upcoming meeting agendas; 2) meeting minutes; 3) the project schedule; 4) Town newsletters; 5) planning maps; and 6) contacts. The Nasewaupee Web Site is planned to be available by April 2001.

◆ Official Public Record

The town will maintain a record of public documents (e.g., meeting minutes) related to the development of the comprehensive plan at the Nasewaupee Town Hall. Interested parties should contact:

Leroy Liebe, Town Chair  
3201 Park Drive  
Sturgeon Bay, WI 54235  
(920)743-5750

◆ Written Comments

Written comments on the comprehensive plan for consideration by the Town Plan Committee and Town Board should be sent to:

Leroy Liebe, Town Chair  
3201 Park Drive  
Sturgeon Bay, WI 54235

◆ Procedures for Adopting Comprehensive Plan

The town of Nasewaupee shall comply with all of the procedures for adopting a comprehensive plan under section 66.0295 (4) of the Wisconsin Statutes.