

Appendix D: Comprehensive Plan Land Use Element Implementation Actions

Appendix D-1: Standards For Rezoning “Exclusive Agricultural” Lands

Land designated on the Town of Holland Comprehensive Plan Land Use Map as Active Agriculture and subsequently zoned Exclusive Agriculture on the La Crosse County Zoning Map for the Town of Holland are eligible for “Wisconsin Working Lands Initiative” tax credits provided the land owner meets eligibility requirements and the regulating zoning ordinance has been certified by the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP). If a landowner’s property is located in an Exclusive Agriculture designated area, the Wisconsin Working Lands Initiative program requires certain findings must be made in order to remove a property from the Exclusive Agricultural designation.

Document Consistency

The Wisconsin Comprehensive Planning Law and the Wisconsin Working Lands Initiative (previously referred to as the Farmland Preservation Program) both require consistency among planning documents and zoning ordinances. What this means for the Town of Holland and La Crosse County is that the Town of Holland Comprehensive Plan, the La Crosse County Comprehensive Plan, the La Crosse County Farmland Preservation Plan, and the La Crosse County Zoning Ordinance must be consistent with one another. The Town of Holland and La Crosse County have adhered to this requirement as plans and ordinances developed and adopted are consistent.

Standards To Be Considered For A Land Use Change Request

To ensure consistency (eligibility for tax credits) in the future, land use change requests and zoning petitions for rezoning areas within the Exclusive Agricultural District (Farmland Preservation District) shall be based on findings that consider the following:

1. **The land is better suited for a use not allowed in the farmland preservation zoning district (Exclusive Agricultural District).**
(Determined by evaluating findings in 4-10 below)
2. **The rezoning is consistent with any applicable comprehensive plan.**
(Review Town of Holland Comprehensive Plan, La Crosse County Comprehensive Plan)
3. **The rezoning is substantially consistent with the county certified farmland preservation plan.**
(Review La Crosse County Farmland Preservation Plan)
4. **The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.**
(What will the impact be of the proposed use on agricultural activities of adjacent properties?)
5. **Adequate public facilities to serve the development are present or will be provided.**
(Evaluate existing roads, utilities, services, etc. Will the applicant be extending any roads or utilities?)
6. **Provision of these facilities will not be an unreasonable burden to local government.**
(Evaluate roads, utilities and services needed versus costs to Town – “Cost of Community Services Study” will be helpful in this evaluation)
7. **Development will not cause unreasonable air and water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas.**
(Require the applicant to complete the Environmental impact assessment checklist.)
8. **The need of the proposed development in an agricultural area.**
(Is the development needed at the specific location or could it be located elsewhere?)
9. **The availability of alternate locations.**
(Are there areas available for the proposed use not in an Exclusive Agriculture zoning district?)
10. **The productivity of agricultural land involved.**
(How productive is the land versus other agricultural areas? Soil types, slope, etc?)

A form containing the ten items to be considered will be provided to the applicant so they are able to provide their justifications for requesting a land use change/rezoning. Upon reviewing land use change requests and/or zoning petitions for rezoning areas within the Exclusive Agricultural District (Farmland Preservation District), the Town of Holland will address the ten items (in meeting minutes) in formulating the Towns approval or denial of a request.

Appendix D-2: Environmental Impact Assessment Checklist

An environmental impact assessment checklist assists in providing a systematic process for identifying and evaluating potential environmental impacts of a proposed development. It is intended that when a development is proposed that the applicant provide information to the Town of Holland in order for the Town to determine the extent of the environmental impact. Costs for studies, reports or professional evaluations deemed necessary by the Town of Holland to evaluate the environmental impact shall be the responsibility of the applicant.

The environmental impact checklist and associated assessment will assist the Town of Holland in:

- protecting valuable environmental resources in the community and surrounding area that may be affected by the proposed development;
- evaluating the community's capacity for additional development based on environmental checklist findings;
- determining what in the community may be directly or indirectly affected by the project or action.

Checklist

Land and Water Resources

1. Does the project propose changes in relief and drainage patterns? Attach a topographic map (at a minimum two (2) foot contour intervals) showing proposed contour changes.
2. Does the project site have a landform or topographic feature of local or regional interest?
3. Does the project site have an area of soil instability — greater than 20% slope?
4. Does the project site have bedrock within 10 ft. of the soil surface?
5. Does the project propose to have lot coverage of more than 50% impermeable surfaces?
6. Does the project site have prime agricultural land?
7. Will the project site impact any bluff lands?
8. Is there any surface water on or in the immediate vicinity of the site (rivers, lakes, ponds, etc.)? If yes, will the project require any work over, in, or adjacent to (within 300 feet) of the described waters?
9. Does the project site have wetlands?
10. Is the project site traversed by a navigable stream or intermittent stream?
11. Does the project lie within a 100-year flood plain?
12. Does the project site have the groundwater table within 10 ft. of the soil surface?
13. Does the project involve the raising of the water table by altering drainage patterns?
14. Are there any irrigation or drainage ditches on or near the site?
15. Will the proposed project require surface water withdrawals or water diversions?
16. Does the project involve any discharges of wastewater to surface waters or to the ground?
17. Will there be the use of septic tank-soil absorption fields for on-site waste disposal?
18. Could any waste materials enter ground or surface waters associated with the site?
19. What designated or informal recreational opportunities are in the immediate vicinity? Would the project displace any existing recreational uses?

Plants and Animals

20. What kinds of vegetation are found on the site?
21. What kinds of vegetation will be removed from the site?
22. Will there be removal of over 25% of the present trees?
23. Does the project site have endangered, unusual or rare species of:
 - a. Land animals?
 - b. Birds?
 - c. Plants?
24. Was the Wisconsin Natural Heritage Inventory Program contacted as to possible sightings or habitats on the site that may contain state and federal endangered species?
25. Is the site part of a migration route?

Air

26. What types of emissions to the air would result from the proposal (e.g., industry source, dust, automobile, odors, smoke) during construction and when the project is completed? If any emissions, describe and given approximate quantities.
27. What types and levels of noise would be created by or associated with the project on a short-term or long-term basis? (e.g., traffic, construction, operations)
28. What type of light or glare will the proposed project produce?

Historical and Archeological

29. Are there any places or objects listed on, or proposed for national, state, or local preservation registers known to be on or next to the site?
30. Did the State Historical Preservation Officer (SHPO) identify any historic buildings or archaeological sites which would be affected by the project?

Solid/Hazardous Waste

31. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill or hazardous waste that could occur as a result of this project?
32. Does or will this project/site process solid or hazardous waste?
33. Does or will the proposed use transport solid or hazardous materials?
34. Does or will this site have storage tanks, underground or above ground? If so, what will be stored in the tanks?

Socio-Economic Benefits

Please provide a statement addressing the socio-economic benefits the proposed development will have on the Town of Holland and local residents.

To assist applicants in completing the environmental checklist, the following is a list of state and federal agencies that may provide information to address specific questions:

STATE RESOURCES:

Wisconsin Department of Natural Resources (DNR): www.dnr.state.wi.us/

Wisconsin Geological and Natural History Survey: www.uwex.edu/wgnhs/

State Historical Society: Conducts and provides access to research on the State's natural history and maintains land records. Website: www.shsw.wisc.edu

FEDERAL RESOURCES:

U.S. Geological Survey: www.usgs.gov/ The Wisconsin USGS office website address is: <http://wi.water.usgs.gov/index.html>

Natural Resources Conservation Service: Website: www.nssc.nrcs.usda

U.S. Fish and Wildlife Service: This agency is a source of information on the federal status of threatened and endangered species. Website: www.fws.gov

U.S. Army Corps of Engineers: The Corps is the federal agency in charge of approving projects that impact waterways and wet-lands. Website: www.usace.army.mil/

U.S. Environmental Protection Agency: EPA provides information on environmental protection standards and regulations. Website: www.epa.gov

Appendix D-3: Requirement For Neighborhood Plans Prior To Large Tracts Being Developed

The Town of Holland Comprehensive Plan addresses the need for proposed developments to be sustainable long-term to ensure the Town's ability to provide cost effective services. In order to achieve this and to properly plan for the future, the Town of Holland requires that a development plan be prepared for areas when the following development thresholds are proposed to be met or exceeded by the applicant.

1. If an applicant proposes to develop (or requests to rezone) a tract of land 20 acres or larger (or a total of 20 acres or more is developed over a five year period) or proposes 10 or more housing units on a tract of land of any size, a development plan must be prepared for all property to be developed and/or all property under ownership/control of the applicant. The development plan must include site design, access requirements, soil reports, drainage plans, and other plans deemed necessary by the Town of Holland. The plan should clearly address how the proposed development will be compatible with adjoining uses and provide for future development of adjoining properties (extension of streets, utilities, etc.). It is recommended that applicants review the Town of Holland Comprehensive Plan and utilize specific recommendations (Coulee Visions Plan, conservation subdivision design principles, etc.) of the comprehensive plan, when applicable, in their site development planning. At the discretion of the Town of Holland Town Board, a development plan may be required for a smaller development if the Town Board determines the development may have a significant impact on adjoining parcels.

<http://www.lapc.org/content/plans/Plan%20documents/Coulee%20Visions/Coulee%20Visions%20Workbook.pdf>

A description of conservation subdivision design principles is located in the La Crosse County Comprehensive Plan

2. The Town of Holland Land Use Map has an area designated as "Commercial Corridor District". This area is significant because of U.S. Highway 53 and the potential for commercial development. Access to U.S. Highway 53 is limited by the on/off ramps, so it is critical that development within the corridor is well planned to ensure all parcels

retain access to the local roads and U.S. Highway 53. To address future development and ensure it is well planned, the Town of Holland will develop a “Commercial Corridor District Plan” that will provide specific development parameters for the designated area. It is recommended that no significant commercial developments are approved for the area until such plan is completed.

Appendix D-4: Utilization Of Platted Lands Plans Prior To Development Of Un-platted Lands

The Town of Holland Comprehensive Plan addresses the management of future residential growth in the Town. The plan is sensitive to protecting existing agricultural areas from scattered residential development. The plan places an emphasis on future residential development first utilizing existing platted lands (vacant parcels) versus “leapfrogging” to un-platted agricultural areas. The Town of Holland “Future Land Use Map” has areas of the Town designated for future large lot and small lot residential development. As residential developments are requested for these areas and other agricultural areas throughout the Town, the Town Board will require the applicant to demonstrate to the Town of Holland why additional lands should be platted versus future development utilizing existing platted lands. As part of the justification review process the applicant shall address the following items:

1. Does the development address a housing need that existing vacant platted lands do not fulfill?
 - a. Lot size
 - b. Housing type (single family, duplex, etc.)
 - c. Market category (first time home buyer, elderly/senior housing, etc.)

2. Does the development address issues identified in the Town of Holland Comprehensive Plan relating to “locations that are appropriate for development” and/or “sustainability of new development”?
 - a. Will the development substantially intrude on lands of extreme topography and importance, such as bluffs and prairies?
 - b. Is the development easily accessible via roads where substantial construction of access roads across prairies will not be required?
 - c. Is the development within legal hunting distances to public hunting lands?
State Hunting Regulations specify that it is illegal to shoot a firearm within 100 yards of a building devoted to human occupancy while on land you do not own (including public lands and public waters) without permission of the owner or occupant of that building.
 - d. Will the development implement recommendations of the Coulee Visions Plan?
 - e. Is the development limited to areas that have a minimal potential for soil erosion or excessive stormwater runoff?
 - f. Does the development include conservation subdivision design principles?
 - g. Is the development in a location that will not prevent active agriculture or limit view shed potential of the site?
 - h. Is the residential development limited to areas that can best be accommodated by public services?

The Town of Holland Plan Commission will review the applicant’s responses to determine if the proposed development meets development guidelines of the Comprehensive Plan and whether the proposal addresses a housing need not available in existing platted lands. Based on the Plan Commissions review, a recommendation will be forwarded to the Town Board regarding the residential development proposal.