

TOWN of CLEAR CREEK
EAU CLAIRE COUNTY, WISCONSIN

COMPREHENSIVE PLAN
2010-2030

REVISED VISION, GOALS,
OBJECTIVES, & POLICIES

Town of Clear Creek
Comprehensive Plan
Eau Claire County, Wisconsin

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1 INTRODUCTION

1.1 Regional Context

The Town of Clear Creek is located in west central Wisconsin (Eau Claire County), bordered on its west by the Town of Pleasant Valley and to its east by the Town of Otter Creek. On its southern border is the Town of Unity and to its north are the Town of Washington and the Town of Lincoln. The Town is about 36 sq.mi. with the predominant land use being agricultural. In 2008, the population of the Town was estimated to be 774.

The population density of Clear Creek is low for a Wisconsin Town. The population density of the Town is estimated to be approximately 21 persons per sq.mi. and is significantly lower than the population density of the average Wisconsin Town (41.3 persons per sq.mi.). The Town has a significantly lower population density than that of Eau Claire County (149.2 persons per sq.mi.).

Established in 1856, Eau Claire County is bordered on the west by Pepin & Dunn Counties, on the south by Buffalo, Trempealeau, & Jackson Counties, on the east by Clark County, and on the north by Chippewa County. The county is approximately 408,320 acres, or 638 square miles. The population in 2007 was 98,000. Thirteen towns, two villages, and three cities make up the county. Eau Claire (pop. 63,190), located in the northwest part of the county, is the largest city and is the county seat. Current major industries are in health care/social assistance and retail trade.

1.2 Wisconsin Comprehensive Planning Law

Under the Comprehensive Planning legislation [s. 66.1001 Wis. Stats.], adopted by the State in October of 1999 and also known as “Smart Growth,” beginning on January 1, 2010 if the Town of Clear Creek engages in any of the actions listed below, those actions shall be consistent with its comprehensive plan:

- ✓ Official mapping established or amended under s. 62.23 (6)
- ✓ Local subdivision regulations under s. 236.45 or 236.46
- ✓ County zoning ordinances enacted or amended under s. 62.23 (7)
- ✓ Town, village, or city zoning ordinances enacted or amended under s. 60.61, 60.62, 60.23 (7)
- ✓ Zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or 62.231

The Law Defines a Comprehensive Plan as containing nine required elements:

1. Issues and opportunities
2. Housing
3. Transportation
4. Utilities and Community Facilities
5. Agricultural, Natural, & Cultural Resources
6. Economic Development
7. Intergovernmental Cooperation
8. Land Use
9. Implementation

The Comprehensive Planning Law in Wisconsin requires public participation at every stage of the comprehensive planning process. “Public Participation” is defined as adopting and implementing written procedures for public participation that include but are not limited to broad notice provisions, the opportunity for the public and impacted jurisdictions to review and comment on draft plans, and the holding of a public hearing prior to plan adoption.

The Comprehensive Planning Law standardizes the procedure for adopting a comprehensive plan. The plan commission must submit a recommendation on the comprehensive plan to the chief elected body. The local governing body may then adopt and enact the plan by ordinance.

In addition to ensuring local residents and businesses have the opportunity to review and comment on the plan, the Comprehensive Planning Law requires that copies of the draft and final comprehensive plans be sent to adjacent communities, the Wisconsin Department of Administration, the regional planning commission & public library serving the area, and all other area jurisdictions that are located entirely or partially within the boundaries of the community.

The Role of a Comprehensive Plan for the Town of Clear Creek

This planning document is a “living” guide for the future overall development of the Town of Clear Creek. It serves the following purposes:

- ✓ The plan acts as a benchmark to where the community is now in terms of current strengths, weaknesses, opportunities and threats to quality of life.
- ✓ It provides a means of measuring progress for existing and future Town leaders.
- ✓ It clearly defines areas appropriate for development, redevelopment, and preservation.
- ✓ It identifies opportunities to update and strengthen the Town of Clear Creek’s land use implementation tools.
- ✓ It can be used as supporting documentation for Town policies and regulations as well as grant funding requests for public & private projects.

The most important function the plan will serve is as a resource manual to assist in the evaluation of land use related requests and the provision of design recommendations for various types of development. It establishes a standard by which all land use decisions in the Town of Clear Creek need to be based. Communities who consistently make land use decisions based on their comprehensive plan reduce their exposure to legal action, increase their opportunities to save money and improve the quality and compatibility of new development.

1.3 Public Process

On April 7, 2008 the Comprehensive Plan Committee mailed a survey to the households in the Town of Clear Creek and requested that the surveys be completed and returned by May 15. Of the 325 surveys that were mailed, 162 (49%) were returned. In June 2008 the Plan Committee compiled the results of the survey, and those survey items related to the comprehensive plan appear below.

Clear Creek Survey Results - May 2008

DEVELOPMENT, GROWTH, SERVICES, & ZONING

1. How do you feel about Clear Creek as a place to live?

45% Excellent 51.3% Good 3.1% Fair .6% Poor

2. Which of these, if any, are the most important issues in the Town? (Check up to three)

Preserving agriculture & farming	61.3%	Confine residential subdivisions to specific locations	29.2%
Managing growth & development	45.8%	Protect the environment	28.6%
More control of zoning enforcement	17.9%	Road maintenance	22.3%
School district costs	30.4%	Traffic control	4.8%
Building a Town Hall	10.7%		

3. Please rate the following services:

	<u>Excellent</u>	<u>Good</u>	<u>Fair</u>	<u>Poor</u>
Fire Protection	25.3%	66.9%	7.8%	0%
Emergency Medical Services	17.5%	68.2%	13.6%	0.6%
Snow removal	21.7%	57.8%	15.1%	5.4%
Road repair & maintenance	8.5%	46.7%	32.7%	12.1%
Traffic regulation	9.3%	68.2%	17.2%	5.3%
Communications with residents	7.9%	50.6%	29.3%	12.2%

4. Based on the population growth that has occurred in Clear Creek over the last 10 years, for the future is this rate of growth too fast, too slow, or just right?
 15.2% too fast 6.1% too slow 49.4% just right 29.3% not sure
5. The use and division of land in the Town of Clear Creek is largely regulated by Eau Claire County's zoning and subdivision ordinances. How satisfied are you with the way the Town of Clear Creek is developing under the present land use zoning and subdivision ordinances?
 13.2% very satisfied 21.0% not satisfied
 41.9% somewhat satisfied 24.0% not sure
6. Should the Town of Clear Creek enact ordinances to control growth?
 41.6% yes 31.3% no 27.1% not sure
7. Should landowners be allowed to develop as much of their land as they want?
 34.7% yes 51.5% no 13.8% not sure

AGRICULTURE & NATURAL RESOURCES

8. How important do you feel it is to protect each of the following resources?
- | | | | |
|-------------------------------------|----------------------|--------------------------|---------------------|
| a. Wetlands | 50.0% Very Important | 39.9% Somewhat Important | 6.8% Not Important |
| b. Farmland | 73.0% Very Important | 22.7% Somewhat Important | 4.3% Not Important |
| c. Wildlife habitat | 61.0% Very Important | 31.7% Somewhat Important | 7.3% Not Important |
| d. Woodlands | 63.0% Very Important | 30.9% Somewhat Important | 6.2% Not Important |
| e. Creeks & ponds | 70.3% Very Important | 25.5% Somewhat Important | 4.2% Not Important |
| f. Scenic views | 39.8% Very Important | 39.1% Somewhat Important | 21.1% Not Important |
| g. Groundwater | 87.2% Very Important | 11.0% Somewhat Important | 1.8% Not Important |
| h. Undeveloped hilltops & hillsides | 42.0% Very Important | 45.1% Somewhat Important | 13.0% Not Important |

9. Which of the following best describes your situation?
 11.1% Farming is the primary source of income for my household
 14.8% Farming is a significant second source of income for my household
 37.0% Farming is a very small source of income for my household
 37.0% Farming provides no income for my household
10. Are you aware of any issues between farms and non-farming neighbors regarding dust, noise, & smell?
 20.8% yes 73.2% no 6.0% not sure
11. Should a Comprehensive Plan preserve the agricultural character of our town?
 59.3% yes 15.6% no 25.1% not sure
12. How concerned are you if farmland in the Town is converted to non-farm uses?
 38.1% very concerned
 38.7% somewhat concerned
 22.0% not concerned
 1.2% not sure

RESIDENTIAL

13. What should be the minimum sized lot for a single-family home in the rural areas of the Town?
 Please select only one response:
- | | |
|-------------------------|-------------------------|
| 12.7% less than 2 acres | 8.4% 20 acres |
| 17.5% 2 acres | 10.2% 40 acres |
| 33.1% 5 acres | 3.6% more than 40 acres |
| 10.8% 10 acres | 3.6% not sure |
14. Should "cluster housing" be used in the Town? Cluster housing allows a greater concentration of housing in specific areas to reduce the impact on farmland and environmentally sensitive areas.
 32.3% yes 43.1% no 24.6% not sure

15. Which types of housing do you feel should be permitted in the Town of Clear Creek?

Please answer for each type.

a. townhouses/duplexes	21.1% yes	68.7% no	10.2% not sure
b. apartments	12.7% yes	77.1% no	10.2% not sure
c. mobile home parks	10.3% yes	81.2% no	8.5% not sure
d. houses moved in from other locations	57.0% yes	20.6% no	22.4% not sure
e. single family homes	96.4% yes	2.4% no	1.2% not sure
f. double wide mobile homes	57.8% yes	30.1% no	12.0% not sure
g. pre-fabricated homes	86.2% yes	6.6% no	7.2% not sure
h. homes made from pole sheds	25.5% yes	56.4% no	18.2% not sure

COMMUNITY RESOURCES

The Town has already purchased land on the northeast corner of County HH and Raven Dr. for the purpose of building a permanent Town Hall that will serve our needs for the next 20 years or more.

16. What size would be appropriate for the initial Town Hall structure?

(Assume that it will be designed to accommodate future expansion)

- 10.1% less than 600 square feet
- 16.8% 600 to 800 square feet
- 18.8% 800 to 1000 square feet
- 31.5% 1000 to 1200 square feet
- 22.8% greater than 1200 square feet

17. What type of construction would you prefer for the Town Hall?

- 47.4% conventional wood frame
- 24.3% pole building
- 19.7% concrete or brick
- 8.6% other

18. How soon would you like to see the new Town Hall erected?

- 13.0% as soon as possible
- 21.7% within the next 10 years
- 14.9% within the next 2 years
- 26.7% no opinion
- 19.3% within the next 5 years
- 4.3% never (write-in)

19. In addition to town meetings and official business, what other uses should our Town Hall accommodate?

- 63.1% Town-sponsored celebrations or festivals
- 71.3% Rental opportunities for clubs and organizations
- 64.4% Rental opportunities for private celebrations (weddings, birthdays, anniversaries, etc.)
- 20.8% none
- 5.6% other

20. Should the area surrounding the Town Hall be developed as a community park and picnic area?

- 43.4% yes
- 32.1% no
- 24.5% no opinion

ECONOMIC DEVELOPMENT

21. Should the following types of businesses be allowed in the Town of Clear Creek?

a. retail/commercial	66.7% yes	20.4% no	13.0% not sure
b. industrial/manufacturing	36.4% yes	47.5% no	16.0% not sure
c. home-based businesses	89.6% yes	3.7% no	6.7% not sure
d. ag businesses	86.0% yes	6.7% no	7.3% not sure
e. golf courses	38.8% yes	44.0% no	16.4% not sure
f. gravel pits	36.2% yes	46.0% no	17.8% not sure
g. salvage yards	11.0% yes	85.9% no	3.1% not sure
h. landfills	3.1% yes	92.6% no	4.3% not sure
i. campgrounds	40.5% yes	44.8% no	14.7% not sure
j. vehicle race tracks	12.0% yes	79.7% no	8.2% not sure

22. Should non-agricultural business development be restricted to designated areas in the Town?

- 63.0% yes
- 19.8% no
- 17.3% not sure

2 ISSUES & OPPORTUNITIES

Introduction

Population plays an important role in how the community develops. Observing population increases and decreases helps establish the future needs of the town. This section provides historical population and projections, along with demographics, housing characteristics, employment, income, and education; all of which affect the community.

2.1 Population

Historical Population

The town of Clear Creek population has increased and decreased since the 1970 census. The largest population in the town during this period was recorded in the 1980 census with 798 residents. Table 2.1 shows the population and percent change for this period.

Year					Percent Change			
1970	1980	1990	2000	2008	'70 -'80	'80 -'90	'90 -'00	'00 -'08
773	798	692	712	774	+ 3.2%	-13.3%	+2.9%	+8.7%

Eau Claire County – Conditions and Trends Report 2009

Population Projections

Factors affecting population change include demographic trends, proximity to larger urban areas, access to jobs, the farming economy, and real estate values. Table 2.1.2 shows the town of Clear Creek population projections through the year 2030.

Census	Estimate	Proj.	Proj.	Proj.	Proj.	Proj.	% Change
2000	2005	2010	2015	2020	2025	2030	2000-2030
712	748	763	781	801	820	835	+17.3%

Source: U.S. Census Bureau & Wisconsin Department of Administration, Demographic Services Center, October 2008.

2.2 Age Distribution and Demographic Trends

Table 2.2 contains age distribution of the population based on census data from 1990 and 2000 along with the percent of change in each age group for that period. The number of residents between 17 and 21 years of age saw a significant decrease during this period, while the age group of 35 to 39 years saw a significant increase during this period. The change in median age from 32 to 37.2 indicates a general aging of the population during this period.

Table 2.2: Population by Age - 1990 & 2000			
Age Category	1990 Census	2000 Census	Percent Change 1990 to 2000
Median Age	32	37.2	16.3 %
Under 5 years	48	45	-6.3 %
5 to 9 years	44	47	6.8 %
10 to 14 years	55	61	10.9 %
15 to 17 years	27	35	29.6 %
18 and 19 years	25	12	-52.0 %
20 years	11	8	-27.3 %
21 years	3	6	100.0 %
22 to 24 years	16	11	-31.3 %
25 to 29 years	79	42	-46.8 %
30 to 34 years	35	53	51.4 %
35 to 39 years	32	74	131.3 %
40 to 44 years	68	53	-22.1 %
45 to 49 years	43	64	48.8 %
50 to 54 years	33	47	42.4 %
55 to 59 years	26	37	42.3 %
60 and 61 years	14	17	21.4 %
62 to 64 years	29	12	-55.2 %
65 to 69 years	31	32	3.2 %
70 to 74 years	17	27	58.8 %
75 to 79 years	24	16	-33.3 %
80 to 84 years	10	7	-30.0 %
85 years & over	4	5	25.0 %

Source: U.S. Census Bureau

2.3 Housing Characteristics

The period of 1990-2000 saw a significant increase in new housing construction that was likely due to the favorable economic conditions of that decade.

Table 2.3: Total Housing Units 1980, 1990, & 2000				
1980	1990	2000	Percent Change 1980-90	Percent Change 1990-00
249	253	270	1.6 %	6.7 %

Source: U.S. Census Bureau

Nearly 43% of the housing structures in Clear Creek were built prior to 1940. There were 44 new structures built during the favorable economic conditions of the 1990s.

Table 2.3.1: Year Structure was built - 2000					
1990 to 2000	1980 to 1989	1970 to 1979	1960 to 1969	1940 to 1959	1939 or earlier
44	23	39	16	32	116

Source: U.S. Census Bureau

The majority of owner-occupied houses reported in the 2000 census were valued at less than \$100,000. Since 2000, several new homes exceeding \$100,000 have been constructed in the Town and will appear in the 2010 census.

Less than \$50,000	\$50,000 to \$99,999	\$100,000 to \$149,000	\$150,000 to \$199,999	\$200,000 to \$299,999	\$300,000 to \$499,999	\$500,000 or More	Median Value in 2000
15	48	13	0	0	0	0	\$80,600

Source: U.S. Census Bureau

In 2000, the majority of housing units in the Town were single-family (92.6%) and owner-occupied (82.9%).

	1980	1990	2000
Total Housing Units	249	253	270
Total Seasonal	3	1	0
Total Vacant	2	17	9
Total Occupied Units	244	236	261
- Owner Occupied Units	194	188	224
- Renter Occupied Units	50	48	37
Single Family Units	226	225	250
Multi-Family Units	7	3	3
Mobile Homes	13	25	17

Source: U.S. Census Bureau

Housing unit projections were based on the 2000 U.S. census that occurred at the end of an economically prosperous decade. The end of 2008 saw a significant economic downturn that is likely to produce lower estimates in the 2010 census.

Actual 2000	Projection 2005	Projection 2010	Projection 2015	Projection 2020	Projection 2025	Projection 2030
270	296	305	317	327	336	342

Source: U.S. Census Bureau

The Wisconsin Department of Administration projections were released in October 2008, just prior to a significant economic downturn that is likely to produce lower estimates in future projections.

Census 2000	Estimate 2005	Project 2010	Project 2015	Project 2020	Project 2025	Project 2030	% change 2000-2030
268	286	295	306	316	325	331	23.5

Source: Wisconsin Department of Administration, Demographic Services Center, October 2008.

2.4 Employment and Income Statistics

Employment Characteristics

According to the 2000 U.S. Census, the top three employment sectors for the residence of Clear Creek were Education, Health, and Social Services (18%), Manufacturing (15%), and Agriculture/Forestry (14%).

Municipality	Agriculture, forestry, fishing, hunting, & mining	Construction	Manufacturing	Wholesale trade	Retail trade	Transportation, warehousing, & utilities	Information	Finance, insurance, real estate, rental, & leasing	Professional, scientific, mgmt, administrative, and waste mgmt services	Educational, health and social services	Arts, entertainment, recreation, accommodation and food services	Other Services (except public admin.)	Public Administration	Total
Clear Creek	53	34	58	11	39	17	6	18	25	68	24	25	6	384

Source: U.S. Census Bureau

Household Income

Dollars		10-year Change	
1989	1999	Dollars	Percent
\$29,615	\$44,833	+ \$15,218	+ 51.4 %

Source: U.S. Census Bureau

2.5 Educational Attainment

Educational Characteristics

Of the 472 residents of Clear Creek that were 25 years or older in 2000, 47.7 % had a High school diploma and another 40% obtained some amount of post-High school education, half of which obtained a degree.

	1990		2000	
	Number	Percent	Number	Percent
Persons 25 Years and Over	445	100.0	472	100.0
Less than high school diploma	105	23.6	58	12.3
High school graduate	228	51.2	222	47.0
Some college, no degree	54	12.1	93	19.7
Associate degree	20	4.5	41	8.7
Bachelor's degree or higher	38	8.5	58	12.3
High school graduate or higher	340	76.4	414	87.7

Source: U.S. Census

3 VISION, GOALS, OBJECTIVES, & POLICES

A vision statement identifies where an organization (the Town of Clear Creek) intends to be in the future and how to meet the future needs of its stakeholders: citizens. The vision statement incorporates a shared understanding of the nature and purpose of the organization and uses this understanding to move toward a greater purpose together. The statement is written in present tense and describes an ideal future condition.

The Town of Clear Creek is...

A distinctively rural community consisting primarily of active farms blended into rolling hillsides and wooded lands. Sensitive natural features are protected from development. Non-farm residential development is controlled, and commercial development is limited to small farm-based or home-based businesses, many of which support local agriculture. Rural roads are well maintained to support local travel and the movement of agricultural goods.

Clear Creek is a desirable place to live because of its natural beauty and rural character. Citizens appreciate and continue to protect the wealth of productive farmland and natural resources in the Town. Local leaders continue to work with adjacent towns and Eau Claire County to manage development and the delivery of the basic services for the betterment of the region.

General Goals

Each chapter of this plan contains goals specific to one of the nine elements of the comprehensive plan. The following three goals are general in nature and along with the vision statement are intended to guide actions the Town of Clear Creek makes in the future. The essence of these recommendations, reflected throughout the entire plan is to create conditions that....

- **Protect and improve the health, safety, and welfare of residents in the Town of Clear Creek.**
- **Preserve and enhance the quality of life for the residents of the Town of Clear Creek**
- **Protect and reinforce the community character of the Town of Clear Creek.**

If there is a question regarding a decision that is not clearly conveyed in the details of the comprehensive plan, then the decision should be based on the intent of the vision statement and the general goals.

Each element of the comprehensive plan contains goals, objectives, & policies that were developed during the planning process based on existing conditions and responses to a Land Use Survey. This section defines goals, objectives, & policies as follows:

Goal: a goal is a long-term target that states what the community wants to accomplish. The statement is written in general terms and offers a desired condition.

Objective: An objective is a statement that identifies a course of action to achieve a goal. They are more specific than goals and are usually attained through planning and implementation activities.

Policy: A policy is a general course of action or rule of conduct that should be followed in order to achieve the goals and objectives of the plan. Policies are written as actions that can be implemented or as general rules to be followed by decision makers. Policies directing action by using the words “shall” or “will” are advised to be mandatory aspects of the implementation of the Town of Clear Creek Comprehensive Plan. Those policies using the words “should,” “encourage,” “discourage,” or “may” are advisory and intended to serve as a guide.

3.1 Housing

Goal 1: Provide for the residential needs of all town residents to meet existing or forecasted housing demands.

Objectives:

1. Collaborate with neighboring municipalities to plan for a range of housing that meets the needs of area residents of various income level, age, and health status.

Policies:

1. Encourage high-quality farmsteads and single-family homes.
2. Discourage development of multi-family apartment buildings, senior housing and special needs housing in rural areas and encourage it inside urban areas of the County where there is easier access to public services and facilities to support such developments.

Goal 2: Maintain housing properties, types, and densities that reinforce the rural character of the Town.

Objectives:

1. Emphasize control of residential density (lot averaging) and site design rather than lot size alone.
2. Ensure that homes are built and maintained according to levels deemed safe by industry standards.
3. Retain farmsteads and single-family residences as the preferred type of housing in the Town of Clear Creek. Establish regulations that support further development of farm-based residences throughout the Town, including regulations that support development of housing for family members of farm owners and for employees working on farms.

Lot averaging is a regulatory tool that allows a property owner to create a lot that is smaller than the minimum lot size requirement, provided the acreage of the smaller parcel plus the remaining acreage of the smaller parent parcel add up to the amount of acreage required for two parcels in the underlying area

Policies:

1. If proposals for residential subdivisions are ever introduced, encourage clustered residential subdivisions that will prevent or minimize conversion of agricultural or open space land. Incentives may be considered by the town for developments that use this technique.
2. Support Eau Claire County's Uniform Dwelling Code requiring inspection of new structures and repair of unsafe and unsanitary housing conditions.

Conservation Subdivisions are an alternative approach to the conventional lot-by-lot division of land, which spreads development evenly throughout a parcel with little regard to impacts on the natural and cultural features of the area. Residential lots are grouped or "clustered" on only a portion of a parcel of land while the remainder of the site is permanently preserved as open space.

3. Support programs that maintain or rehabilitate the Town’s housing stock. Encourage voluntary efforts by private homeowners to maintain, rehabilitate, update or otherwise make improvements to their homes. Discourage the use of properties for the accumulation of “junk” materials.

“Junk” – any worn out or discarded materials including but not necessarily limited to scrap metal, inoperable motor vehicles and parts, construction material, and household waste including garbage and discarded appliances.

3.2 Transportation

Goal 1: Provide for a safe, efficient, multi-modal, and well-maintained transportation network for all residents, farmers, area business, and emergency vehicles.

Objectives:

1. Maintain the Town’s transportation network at a level of service desired by Town residents and business.
2. Manage access to the transportation network in order to effectively maintain the safe and functional integrity of Town roads.
3. Coordinate major transportation projects with neighboring communities, Eau Claire County and the WisDOT.

Policies:

1. Transportation Alternatives for disabled & elderly residents – Collaborate with Eau Claire County and urban areas in the region to provide transportation services for the disabled & elderly residents.
2. Incorporation of Pedestrian & Bicycle Planning – Ensure that the Town has an active role in providing any input of bicycle routes through the Town planned by Eau Claire County, WIDNR, or local organizations.
3. Protection of Town Roads – Encourage traffic patterns that do not increase traffic on Town Roads unnecessarily, and require intergovernmental agreements that define the responsibilities of the Town, the developer and the neighboring community regarding any required improvements to Town roads and funding of such improvements. New roads shall be built according to Town standards. Where appropriate, designate weight restrictions and truck routes, to protect local roads.
4. Maintain Condition Standards for Town Roadways – Strive to maintain an average PASPER rating of 7 for all paved Town Roads, and establish and prioritize future road projects based on the applicable PASPER scores and ADT data.
5. Coordination of Improvements to State and County Highways – Stay apprised of the WisDOT and Eau Claire County’s efforts to maintain and improve State and County Roads. Coordinate improvements to adjacent local roads whenever feasible.

“PASPER” – Pavement Surface Evaluation & Rating. The WisDOT recommends municipalities maintain an average rating of “7” for all roads.

6. Joint Planning of Roads that Cross Jurisdictions – Work with the Towns of Otter Creek, Pleasant Valley, Unity, Lincoln, and Washington to plan, construct, and maintain those roadways that affect both jurisdictions, including cost sharing where appropriate.

Goal 2: Be prepared to address other transportation-related policies required by Wisconsin's Comprehensive Planning Law.

Objectives:

1. Specifically identify any areas required by Wisconsin's Comprehensive Planning Law that do not have direct applicability to the Town at this time.

Policies:

1. Future Cooperation and Planning – The Town will actively participate in any planning for any form of public transit, passenger rail, public air transportation, or water transportation should any of these transportation alternatives become feasible in the Town in the future.

3.3 Utilities & Community Facilities

Goal 1: Maintain high quality Town services and facilities.

Objectives:

1. Ensure that public and private utilities are constructed and maintained according to professional and governmental standards and do not detract from the rural character of the town.
2. Phase new development in a manner consistent with public facility and service capacity and community expectations.
3. Ensure the Town Hall and other public facilities continue to meet the needs of town residents.
4. Monitor satisfaction with local emergency services and other utility or community services, and seek adjustments as necessary to maintain adequate service levels.

Policies

1. Sanitary Sewer – Density and minimum lot sizes should be managed allowing adequate space for replacement of private on-site sewage systems. Continue working with Eau Claire County to ensure the existing private septic systems are adequately maintained and inspected on a regular basis, and that new private or shared septic systems are designed, constructed, and inspected according to State and Eau Claire County regulations.
2. Water Supply – Encourage landowners with private wells to properly maintain and monitor their wells through inspection and water testing as necessary or required by WIDNR regulations. Landowners with private wells that are no longer in use shall properly close and abandon wells according to Wisconsin DNR regulations.
3. Stormwater Management – Control stormwater quality and quantity impacts from development. Maintain natural drainage patterns as existing drainage corridors, streams, floodplains, and wetlands can provide for stormwater quality and quantity control benefits to the community. Direct that developers be responsible for stormwater quality and quantity control during and after site preparation and construction activities. Collaborate with other jurisdictions as necessary to enforce the Eau Claire County Stormwater management and Erosion Control Ordinances.

4. Solid Waste and Recycling – Monitor levels of service provided by solid waste disposal and County recycling services and meet with them to address any concerns raised by residents or local businesses. Encourage participation in Eau Claire County’s Clean Sweep Program for the disposal of hazardous materials.
5. Parks – Work with WIDNR and Eau Claire County as necessary to determine if there are needs for future parks and natural areas in the Town. If needs are identified, work with the WIDNR and the County to determine the most effective and efficient way to proceed with development.
6. Power Plants, Transmission Lines, and Telecommunication Facilities – Ensure the provision of reliable, efficient, and well-planned utilities to adequately serve existing and planned development. Actively participate in the planning and siting of any major transmission lines, facilities, natural gas lines, wind towers, or telecommunication towers. If such facilities are proposed, they should be located in an area safely away from existing residential uses and livestock facilities.
7. Cemeteries – Collaborate with local church associations regarding the need for additional cemeteries or cemetery expansion.
8. Special Needs Facilities – Work with Eau Claire County and adjacent towns to maintain and improve access to special needs facilities (i.e. health care, childcare) for Town residents. Actively participate in the planning and siting of any new special needs facility. Encourage all public facilities (including parks) be upgraded for handicap accessibility.
9. Emergency Services – Work with the Osseo Fire Department, Strum-Unity Fire Department, Osseo Ambulance Services, Eau Claire Township Fire Department, and Eau Claire County to maintain adequate provision of emergency services (i.e. fire, police, EMS) for Town residents and businesses, and review services provision levels with the appropriate agencies annually.
10. Libraries – Work with Eau Claire County, the City of Eau Claire, and the City of Osseo to maintain and improve access to public library facilities for Town residents.
11. Schools – Collaborate with the Osseo-Fairchild, Eleva-Strum, Fall Creek, and Eau Claire School Districts to provide high quality educational facilities and opportunities for Town residents. Actively participate in the planning and siting or expansion of school facilities.
12. Town Facilities – Annually evaluate the condition of the Town Hall and associated equipment to ensure that it will continue to meet Town needs.

Goal 2: Ensure that new Town residents are aware of Town policies regarding services.

Objectives:

1. New residents should be educated on the norms and expectations for the delivery of services to Town of Clear Creek residents, which may differ from services they have received in the past.

Policies:

2. Distribute a pamphlet or newsletter describing Town policies and community norms when new development occurs in the Town. Information may include explanations and contact information pertinent to the jurisdictions responsible for delivery of a variety of services, costs associated with services, and expectations for residents.

3.4 Agricultural, Natural, & Cultural Resources

Goal 1: Reinforce the Town’s rural character by encountering the preservation of farmland, sensitive environmental areas, wildlife habitat, rural vistas, and local cultural resources.

Objectives:

1. Minimize fragmentation of agricultural cropland and natural areas.
2. Manage the potential impact on natural resources, environmental corridors, or habitat areas when evaluating potential residential, commercial, industrial, and intensive agricultural areas.
3. Minimize the potential impact on local cultural resources when evaluating new developments.

Policies:

1. Establish appropriate regulations to discourage fragmentation of farmland, forested land, and natural areas to protect the continuity of these areas for future use. This could include provisions that discourage the placement of new development in the middle of parcels of agricultural cropland, and provisions for larger minimum lot sizes.
2. Manage the density and site design of new development near existing agricultural operations and agricultural cropland. Incentives may be considered by the Town for developments that preserve working farmland.
3. Avoid in areas that have documented threatened or endangered species, or have severe limitations due to steep slopes, soils not suitable for building, or sensitive environmental areas such as wetlands, floodplains, and streams in order to protect the benefits and functions they provide. The Town shall require these natural resources features to be depicted on all site plans, preliminary plats, and certified survey maps in order to facilitate preservation of natural resources.
4. Encourage maintenance and rehabilitation of historic areas and buildings. Ensure that any known cemeteries, human burials or archaeological sites are protected from encroachment by roads or other development activities. Construction activities on a development site shall cease when unidentifiable archaeological artifacts are uncovered

Goal 2: Minimize land use conflicts between farm and non-farm uses, as well as between farms.

Objectives:

1. Ensure that new residents understand the “Right to Farm” law and are familiar with the seasonal effects of expected agricultural practices in the Town.

Policies:

1. All farming or forestry operations are encouraged to incorporate the most current “Best Management Practices” or “Generally Accepted Agricultural and Management Practices” (GAAMPS) as identified by but not limited to the following agencies:
 - a. Eau Claire County
 - b. University of Wisconsin Extension
 - c. Wisconsin Department of Agriculture, Trade and Consumer Protection
 - d. Wisconsin Department of Natural Resources

Wisconsin’s Right to Farm Law
(s. 823.08, Stats)

The law was designed to protect farm operations, which use good management practices from nuisance lawsuits that challenge acceptable farming practices and the ability of farmer to responsibly continue producing food and fiber for the nation and the world.

- e. National Resource Conservation Service
2. Require the owner of any new residence within an agricultural district to sign and record in the Eau Claire County Register of Deeds Office a right-to-farm acknowledgement at the time of purchase, and all subsequent owners of the lots shall be required to sign and record in the Register of Deeds Office a right-to-farm acknowledgement that meets the following provisions:
 - a. A statement stipulating the owner of the lot acknowledges they are moving into an area where farming is promoted and encouraged as a land use and that the intent of the land use or zoning regulations are to preserve and protect farming.
 - b. A statement stipulating the owner of the lot agrees that any farmer who operates a farm adjacent to or in the vicinity of the owner’s lot shall have the right to operate the farm in accord with common agricultural practices including:
 - i. Plowing and harvesting;
 - ii. Application of fertilizers and pesticides in accord with proper application rates and in accord with legal standards whenever applicable;
 - iii. Collection, storage, and spreading of manure from livestock on the farm;
 - iv. Raising of livestock of all types, including pens and buildings intended for the housing and/or breeding of livestock;
 - v. Operation of equipment including tractors, harvesters, excavation equipment, and trucks used in any of the agricultural practices mentioned above.
 - c. A statement stipulating the owner of the lot acknowledges and agrees that agricultural practices; including the noise, odors, dust, and other characteristics associated with those practices, can occur at any time of the day or night due to factors such as, but not limited to, weather conditions;
 - d. A statement stipulating that at the time the original owner sells the lot, and at the time all subsequent owners sell the lot, an addendum to the original agreement shall be prepared for the buyer to sign indicating the buyer has read and understands the terms of the original agreement and the buyer agrees to the terms of the original agreement. No sale of the lot shall be allowed without the buyer signing such an addendum.
 - e. A statement stipulating the agreement shall be in effect for as long as Eau Claire County exercises zoning jurisdiction on the lot.

Refer to the sample Right-to-Farm Acknowledgement in Appendix A.

3.5 Economic Development

Goal 1: Maintain predominately agricultural based economy within the Town.

Objectives:

1. Maintain agricultural and agricultural-related business as the major development type in the Town.
2. Join area economic development organizations to support economic growth and vitality throughout the area and to bring the “voice” of the farmer to discussions about economic development.

Policies:

1. The primary focus for economic development in the Town will be the support of agriculture and other commercial and industrial business will generally be encouraged to locate in urban locations where resources and high concentrations of population are located. Nevertheless, the Town Board should maintain a working understanding of the Town’s transportation system, other infrastructure,

services, and work forces in order to evaluate the capability of properly supporting agriculturally related commercial or industrial businesses that may express an interest in locating in the Town.

2. Encourage the development of “niche” farm-based businesses focused on food for local and regional markets (small-scale food processing, fresh produce, organics, etc.)
3. Collaborate with neighboring municipalities, Eau Claire County, and local economic development organizations to encourage programs and marketing initiatives that support local agricultural products.

Goal 2: Minimize land use conflicts between business and non-business uses.

Objectives:

1. Carefully consider whether proposals for commercial or industrial business development will interfere with farming and whether they can be supported with the existing road system, other infrastructure and available services.
2. Ensure that new business do not detract from the predominately rural character of the Town.
3. Maintain standards and limitations for home occupations and home based business to minimize noise, traffic, and other disturbances to adjacent land uses.

Home occupations refer to the office types of uses that do not alter the residential character of a home and its neighborhood.

Home based businesses are selected types of small businesses that can include buildings, yards, and vehicles, that have the physical appearance of a business rather than a home, located on the same parcel of land as the residence. Examples may include veterinary, animal boarding, blacksmiths, or woodworking businesses.

Policies:

1. Discourage development of commercial and industrial development in rural areas of Eau Claire County and encourage it inside urban areas of the County where there is easier access to public services and facilities to support such development.
2. Work with Eau Claire County to develop design guidelines for businesses that may locate in Clear Creek to address landscaping, aesthetics, lighting, noise, parking, and access. (Refer to Land Use polices)
3. Prohibit home based businesses within residential subdivisions or groups of rural residences, which would cause safety, public health, or land use conflicts with adjacent uses due to such things as increased noise, traffic and lighting. Proposed businesses shall require a conditional use permit.

3.6 Intergovernmental Cooperation

Goal 1: maintain mutually beneficial relationships with neighboring municipalities, Eau Claire County, State & Federal agencies, and school districts serving Clear Creek residents.

Objectives:

1. Coordinate Town planning efforts with local school districts as necessary to allow those districts to properly plan for facility needs.
2. Coordinate with other neighboring municipalities to jointly plan boundary areas and coordinate their long-term growth plans with the Town Comprehensive Plan.

3. Identify opportunities for shared services or other cooperative planning efforts with appropriate units of government.
4. Identify existing and potential conflicts between Clear Creek and neighboring municipalities and establish procedures to address them.

Policies:

1. Encourage an efficient and compatible land use pattern that minimizes conflicts between land uses across municipal boundaries and preserves farming and natural resources in mutually agreed areas. To the extent possible, coordinate the Town’s Comprehensive Plan with the Eau Claire County’s Comprehensive Plan, as well as plans in the Towns of Pleasant Valley, Otter Creek, Washington, Unity, and Sumner.
2. Prior to the adoption of the Town Comprehensive Plan and for subsequent updates, request comments from area school district officials, neighboring municipalities, Eau Claire, Dunn, and Trempealeau counties.
3. Request that neighboring municipalities, Eau Claire, Dunn and Trempealeau Counties, the State of Wisconsin, and Federal agencies communicate to the Town land use or planning activities which would affect the Town of Clear Creek.
4. Continually work with neighboring municipalities to identify opportunities for shared services or other cooperative planning efforts.

3.7 Land Use

Goal 1: Ensure a desirable balance and distribution of land uses are achieved, which reinforce the Town’s character & sense of place.

Objectives:

1. Maintain a comprehensive future land use plan and map¹ that coordinates housing, economic development, agriculture, and the preservation of open space and natural resources.

¹ Refer to Chapter 4 - Future Land Use Plan for a description of each land use category.

Policies:

1. Map sensitive environmental features requiring protection including steep slopes, wetlands and floodplains. Delineate areas having these features on maps and prepare a description of these areas that designates them as areas for conservation or protection where development should not occur. Review and update regulations that protect these areas consistent with any state or other applicable laws.
2. Map areas in agricultural use, including prime farmland soils. In addition, map areas that have not been in agricultural production or use because of poor soils or any other reason, but have nevertheless been attached to farms. Delineate these areas on the Future Land Use Map and designate them as areas for agricultural use. Review and update regulations that support continued agricultural use in these areas.

Map C illustrates the location of prime farmlands in the Town of Clear Creek according to the Eau Claire county Soil Survey. Map D illustrates the areas that are currently, or were recently, under cultivation in the Town of Clear Creek.

- a. Map the location of non-farm residences throughout the Town. Using this information and considering other factors including the potential for use conflicts with areas well-suited and slated for agricultural use, soil conditions, and topography, identify areas suitable for residential development.
3. Allow for limited non-farm residential development in areas slated for agricultural use provided owners of residences in these areas acknowledge in writing that they understand that they have moved into an area that is slated for agricultural use and that they find noises, odors, and other similar factors associated with farming to be acceptable.
 4. Map existing commercial and/or industrial uses that are found in the Town. Evaluate whether the uses are compatible with surrounding uses, whether the road system and other infrastructure is satisfactory to support these uses, whether the uses are adequately supported by available services, and whether there are other suitable places where they could locate. Based upon the evaluation, determine whether the location of existing commercial and/or industrial uses should be delineated as appropriate locations for commercial and/or industrial use in the Town. In addition, determine whether other additional areas should be designated for commercial and/or industrial use, and if so, delineate them on the Future Land Use Map.

Goal 2: Promote quality site and building designs within the community to uphold property values and reinforce the character of the Town.

Objectives:

1. Maintain site and building design guidelines for all development to minimize conflicts with neighboring uses and to reinforce the character of the Town as a whole

Policies:

1. **Site & design Guidelines:** Development in the Town shall be subject to a minimum design standard to help enhance the value of such development, to help maintain a minimum level of aesthetic coordination, and to minimize impacts to adjacent land uses, Encourage the location, siting, and design of any new development to be conducted in a manner that does not conflict with sensitive environmental areas, neighboring uses, or agricultural/forestry uses. Lots and buildings shall be constructed, to the greatest extent feasible, to achieve the following objectives:
 - a. **Septic Suitability:** Adequate soils shall be present to allow for design and construction of septic systems, including permitted alternative designs, and a back up (secondary) site.
 - b. **Productive Agricultural Soils:** Lots, buildings, and driveways shall be configured to be located on the least productive soils and shall not fragment large tracts of agricultural land by placing building envelopes and driveways in the middle of large parcels (greater than 10 acres).



Discouraged Layout



Desirable Layout #1



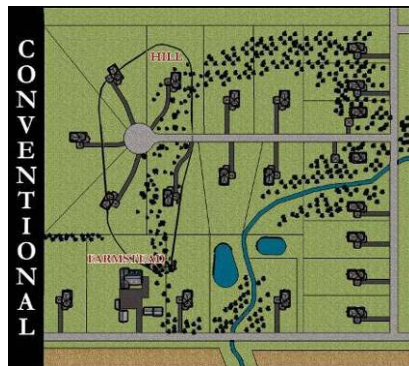
Desirable Layout #2

Avoid fragmentation and isolation of remaining natural areas and corridors. Lots and buildings shall be configured to retain large tracts of undeveloped land. Developers shall strive to connect undeveloped lands with existing undeveloped areas to maintain environmental corridors.

Buildings should be designed and located to blend into the natural environment. To the extent possible, developers shall preserve existing woodlands and mature trees during and after development. Only enough area for the house, immediate yard, and driveway should be cleared. No buildings shall be allowed in areas with slopes greater than 20% and building development shall be severely limited in areas designated as shorelands, wetlands, floodplains, and areas with slopes between 12-20%.

- c. **Environmental Corridors**: Avoid fragmentation and isolations of remaining Town natural areas and corridors. Lots and buildings shall be configured to retain large tracts of undeveloped land. Developers shall strive to connect undeveloped lands with existing undeveloped areas to maintain environmental corridors.
- d. **Environmentally Sensitive Areas**: No buildings shall be allowed in areas with slopes greater than 20% and building development shall be severely limited in areas designated as wetlands, floodplains, and areas with slopes between 12-20%. Lots and buildings shall be property set back from environmentally sensitive areas such wetlands, floodplains, and waterways. Increasing the buffer between such areas and impervious surfaces is encouraged. To the extent possible, developers shall preserve existing woodlands and mature trees during and after development.
- e. **Transportation**: Transportation facilities for new developments shall be constructed according to local ordinances and shall allow for safe ingress and egress of vehicles. Most lots shall take access from interior local streets to minimize the impacts to existing transportation facilities and new facilities shall address future connectivity to surrounding properties. Lots shall be configured to minimize the amount of road length and impervious surfaces. Pedestrian and bicycle improvements are strongly encouraged, especially in areas near existing facilities. Development proposals shall address the impacts to transportation systems including:
 - i. Traffic flow and volume
 - ii. Road conditions, construction, and maintenance
 - iii. Emergency vehicle access
 - iv. Safe ingress and egress
 - v. Future connectivity to surrounding properties
 - vi. Transportation of students (e.g. bus turn-arounds)
 - vii. Pedestrian and bicycle improvements
- f. **Compatibility with Neighboring Uses**: Potential for land use conflicts with existing uses (including forestry & agricultural uses and environmentally sensitive areas) shall be mitigated through buffing, landscaping berms, and lot/building location on the original parcel.
- g. **Signage, Parking, & Lighting**: Excessive signage, parking, and lighting is discouraged. Screen from view of public right-of-way and neighboring properties materials and supplies that are permanently stored outside,
 - The use of monument, wall signs, or cantilever signs is strongly encouraged.
 - New business development shall utilize shared parking and signage whenever feasible.
 - New developments shall incorporate full cut-off lighting, which reduces impacts on neighboring properties (light trespass) and protects the night sky (prevents sky glow)

- h. **Utility Construction:** Utilities shall be sited and designed to minimize impacts on adjacent uses. Underground placement and co-location for new public and private utility facilities is encouraged. Above ground utilities shall incorporate site, design, and landscaping features which minimize impacts to adjacent uses.
- i. **Conservation Subdivision Designs:** If subdivisions are proposed in areas designated for residential development, it is preferable that they be built using conservation subdivision *design principles*, such as:
- Hiding development from main roads to the extent possible though natural topography, vegetation (e.g. tree lines, wooden edges), landscaped bufferyards, and setbacks.
 - Provide vegetative buffers between building site, wetlands, and streams.
 - Preserve mature trees, stone rows, fence lines, and tree lines.
 - Arrange lots so that houses are not placed on exposed hilltops or ridgelines.
 - Design streets and lot layouts to blend with natural land contours.
 - Restore the quality and continuity of degraded environmental areas within the subdivision, such as streams and wetlands.
 - Encourage stormwater management treatment systems that focus on Best Management Practices (BMPs)
 - Create pedestrian trails through common open space areas.



4 FUTURE LAND USE PLAN

Future Land Use Summary

The following chapter summarizes the future land use alternatives for the Town of Clear Creek and covers all of the information required under SS66.1001. The information is intended to provide a written explanation of the Town of Clear Creek Future Land Use map (refer to Map A), which depicts the Town of Clear Creek's desired pattern of land use and establishes the Town's vision and intent for the future through their descriptions and related objectives and policies (Chapter 3). The future land use plan identifies areas of similar character, use, and density. These land use areas are not zoning districts, as they do not legally set performance criteria for land uses (i.e. setbacks, height restrictions, etc.) however, those zoning districts from the Eau Claire County Zoning Code acceptable within each future land use classification are describes in Section 4.1.

The Future Land Use Map has been designed to accommodate a larger population than what is projected by WIDOA forecasts (835 by the year 2030). The Town does not assume that all areas depicted on the Future Land Use Map will develop during the next 20 years. Instead, the Future Land Use plan addresses overall development trends, environmental constrains, proximity to existing development, and the ability to provide services. The Town does not support the rezoning or development of all the lands identified on the maps immediately following adoption of this Plan. Other factors will have to be considered, such as the quality of the proposed development, the ability to provide services to the site, and the phasing of development.

4.1 Future Land Use Descriptions

The following provides a detailed description of each future land use classification and their related policies.

Natural Resource Protection (NRP) - The primary intent of these areas 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. A majority of the NRP is undeveloped, although some scattered development occurs within the boundaries of the identified areas. The NRP represents areas that are vital to the region's ecosystem and are key ingredients of the rural character and image of the Town of Clear Creek, and thus development in areas designated NRP shall be severely limited. Mapped NRP areas include all land that meets one or more of the following conditions:

1. Water bodies and wetlands mapped as part of the WIDNR Wetland Inventory (see Map E), or
2. 100-Year Floodplains based on FEMA maps (see Map E), or
3. Areas with steep slopes greater than 20% (see Map F)

The following policies shall apply in areas designated as NRP:

1. This classification is intended to function in conjunction with the other future land use, but those areas designated as NRP have additional standards and limitations that must be observed. Land within an NRP area shall count towards calculating the number of dwelling units allowed on the overall parcel, per the underlying future land use classification.
2. Prohibit building development. Residential or commercial developments may be permitted provided:
 - a. The area no longer falls within WIDNR designated wetland boundaries or FEMA designated floodplain boundaries and does not contain slopes greater than 20% (verified by Eau Claire County)
 - b. The development meets all requirements of the Eau Claire County Floodplain, Shoreland, & Wetland Zoning Ordinance.

3. Permit agricultural and silviculture operations where in accordance with county, state, and federal law. Best Management Practices are highly encouraged in these areas.
4. Permit recreational development and activities which are compatible with natural resource protection.
5. Appropriate Eau Claire County base zoning districts: *Floodplain Overlay District, Shoreland Overlay District, F-2 Forestry District, F-1 Forestry District, and the A-1 Exclusive Agricultural District.*

Rural Preservation (RP) - The primary intent of these areas is to preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat. This designation includes farmland, scattered open lands, woodlots, agricultural-related uses, and limited single-family residential development (see Maps B, C, and D). Some limited low-density development is anticipated in the RP areas. These developments shall be located in order to minimize the fragmentation of productive agricultural land and to minimize any disruption to existing farm operations. Requests to change the future land use designation of parcels shall be considered using the criteria listed in the Land Use Policies. The RP represents areas that are vital to the region’s agricultural & forestry economy and are key ingredients of the rural character and image of the Town of Clear Creek.

The following policies shall apply in areas designated as RP:

1. Farming and agricultural uses shall be established as the primary land uses within these areas. Uses that are incompatible with farming and agriculture shall be discouraged or prohibited (see policy 3 & 4).
2. Within the RP classification, the gross density for any development shall be one (1) unit per 35 contiguous acres held in single ownership.
3. Agriculturally related businesses, cottage industries, utility, recreation, mineral extraction, religious and government uses may be permitted based on the conditional use requirements of the appropriate Eau Claire County base zoning districts for RP areas (See policy 5).
4. Residential subdivisions shall be prohibited within Rural Preservation areas, and additional non-farm residential development is discouraged. Individual lots may be considered for non-farm residential use, and shall only be authorized if they are consistent with the following policies:
 - a. Non farm development shall only be allowed if it will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take significant tracts of land suitable for cultivation or other agricultural use out of production.
 - b. Any new non-farm residential lot shall have a “Right to Farm” disclosure attached to it acknowledging that the potential non-farm owner has been informed that his lot has been established in an area where farming is the preferred land use, and stating that the owner understands that he must abide by the State of Wisconsin “Right to Farm” statute (WI Stat. 823.08). This language shall be recorded on the deed to the property, transferable to subsequent owners. An example of a “Right to Farm” disclosure acknowledgement is included in Appendix A.
 - c. Non-farm residential development shall only occur on land that is marginal for agricultural productivity. At least 80% of any proposed new lot should not contain Class I, II, or III soils. In addition, it is the preference of the Town of Clear Creek that new non-farm residential lots that are approved in accord with these policies be located adjacent to or near existing non-farm development.
 - d. Rezoning property to the Floating Agriculture-Residential District shall be required for any lot that is proposed for non-farm residential use. Non-farm residential lots shall be at least one (1) acre in size, but no larger than five (5) acres. A permanent deed restriction or agricultural conservation easement shall be placed on at least 35 acres of land for each non-farm residential lot created. To the extent possible, land placed under conservation easements should be

contiguous to other open spaces, sensitive natural areas, or agricultural areas in order to provide larger corridors of open space.

5. The following Eau Claire County zoning districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, and F-1 Forestry District. The following additional policies shall apply to zoning petitions:
 - a. Policies for the Rural Preservation area only apply to rezoning, land division, or subdivision petitions. Development that requires none of these is not subject to the requirements of this subsection. This policy is intended to address existing parcels within the RP area that are not zoned according to policy 5 or were vacant at the time of adoption of this Plan. For example, there may be a few scattered A-2 or A-3 zoned parcels within the Rural Preservation area. The intent of this Plan is not to require rezoning these parcels to one of the zoning districts listed in policy 3. These parcels may continue to be used in accordance with the requirements of the *Eau Claire County Zoning Code* for that district. Additional subdivision of these parcels shall be in accordance with the policies prescribed for Rural Preservation areas.
 - b. In addition to the criteria listed herein, rezoning land from A1-EX to one of the classifications listed in policy 4, shall require adherence to Section 18.04.055 of the *Eau Claire County Zoning Code* and, if part of a farmland preservation agreement, *Section 91.77 Wis. State Statutes*.

Rural Hamlet (RH) - The primary intent of this classification is to identify areas suitable for a broader range of commercial, institutional, recreational, and residential uses, but not including uses that require extensive public services. Rural hamlets are clusters of nonagricultural development centered near an unincorporated village, town hall, or rural school. Rural hamlets typically include one or more retail businesses and pre-existing residential developments. The existing land use pattern, transportation infrastructure, and availability of sanitary sewer make these areas suitable for mixed-use neighborhoods with higher density residential development than what is permitted under the Rural Preservation classification.

The following policies shall apply in areas designated as RH:

1. Within the RH classification, limit new development to a maximum gross density of two (2) residential dwelling units per acre held in single ownership.
2. Cluster development and conservation subdivisions are highly encouraged. Lots within a conservation subdivision shall not exceed five (5) acres per unit, with the exception of the remaining farmstead. Minimum lot sizes shall be 20,000 square feet. Lower lot sizes may be granted for lots served by public or group sanitary & water utilities. Additional bonus lots resulting in a gross density exceeding one (1) unit per acre may be granted per the requirements of a conservation subdivision ordinance. A minimum of 40% of the gross acreage of the parent parcel shall be placed under a permanent conservation easement. To the extent possible, land placed under conservation easements should be contiguous to other open spaces, sensitive natural areas, or agricultural areas in order to provide larger corridors of open space.
3. The Town may require the use of public or group septic systems to support proposed development within this area.
4. The following Eau Claire County zoning districts will be considered for approval within RH areas: R-1-L Single Family Residential Large Lot District, R-1-M Single Family Residential District, R-2 Two-Family Residential District, R-3 Multi-Family Residential, C-1 Neighborhood Business District, and the C-2 General Business District.
5. The Town does not intend to require an amendment to the Future Land Use Map if and when it determines that land with the RH classification is appropriate for more intensive development. However, following such a determination, the rezoning of said land shall be required to accommodate the proposed development. Map updates should be done as part of annual or decennial updates to this Plan (Refer to Chapter 4 Implementation).

6. Proposals for more intensive business developments (C-3 Highway Business, I-1 Non-sewered Industrial, or I-2 Sewered Industrial) will require an amendment to the Future Land Use Map to either Rural Commercial or Industrial status prior to approving a rezoning petition.

Public and Institutional (PI) - The primary intent of this classification is to identify areas suitable for public or institutional development. As mapped, this designation may include religious institutions, cemeteries, school facilities, and property owned by the Town, County, or State. There are some existing public & institutional sites within the Town and these areas are expected to remain unchanged. New public & institutional sites have not been identified in this Plan.

The following policies shall apply in areas designated as PI:

1. Applications for the development of public & institutional uses shall be approved as conditional uses under the regulations of the *Eau Claire County Zoning Code*.
2. When rezoning is requested, only that portion of land necessary for the contemplated use shall be rezoned.
3. The Town does not intend to require an amendment to the Future Land Use Map if and when a proposed public or institutional use is approved; however, map updates should be done as part of annual or decennial updates to this Plan (Refer to Chapter 5 Implementation).

4.2 Reclassifying the Future Land Use Map

The Town of Clear Creek recognizes that from time to time changes may be necessary to the future land use map to account for changes in current planning environment that were not anticipated when the map was originally created. A property owner may petition¹ for a change to the Future Land Use map². Since the Future Land Use Map only contains two classifications appropriate for development, a new classification and associated polices shall be created and adopted as part of this Plan prior to approving any request that is not permitted based on this Plan. The Town will consider petitions based on the following criteria:

1. Agricultural Criteria: The land does not have a history of productive farming activities or is not viable for long-term agricultural use. The land is too small to be economically used for agricultural purposes, or is inaccessible to the machinery need to produce and harvest products.
2. Compatibility Criteria: The proposed development will not have a substantial adverse effect upon adjacent property or the character of the area, with a particular emphasis on existing agricultural operations. A petitioner may indicate approaches that will minimize incompatibilities between uses.
3. Natural Resources Criteria: The land does not include important natural features such as wetlands, floodplains, steep slopes, or significant woodlands, which will be adversely affected by the proposed development. The proposed building envelope is not located within the setback of Shoreland & Floodplain zones (raised above regional flood line). The proposed development will not result in undue water, air, light, or noise pollution. Petitioner may indicate approaches that will preserve or enhance the most important and sensitive natural features of the proposed site.
4. Emergency Vehicle Access Criteria: The lay of the land will allow for construction of appropriate roads and/or driveways that are suitable for travel or access by emergency vehicles

¹ Petitions to change future land use classifications may only be submitted by landowners (or their agents) within the Town, by Town Officials, or by officials from adjacent municipalities.

² Changes in the Future Land Use Map, and associated policies, shall require a recommendation from the Town Plan Commission, a public hearing, and Town Board approval.

5. Ability to Provide Services Criteria: Provision of public facilities and services will not place an unreasonable burden on the ability of the Town to provide and fund those facilities and services. Petitioners may demonstrate to the Town that the current level of services in the Town, including but not limited to school capacity, transportation system capacity, emergency services capacity (police, fire, EMS), parks and recreation, library services, and potential water and/or sewer services, are adequate to serve the proposed use. Petitioners may also demonstrate how they will assist the Town with any shortcomings in public services or facilities.
6. Intergovernmental Cooperation Criteria: Petitioners may demonstrate that a change in the Future Land Use Map is consistent with the Eau Claire County Comprehensive Plan and Zoning Code.
7. Public Need Criteria: There is a clear public need for the proposed change or unanticipated circumstances have resulted in a need for the change. The proposed development is likely to have a positive fiscal impact on the Town. The Town may require that the property owner or their agent fund the preparation of a fiscal impact analysis by an independent professional.
8. Adherence to Other Portions of this Plan: The proposed development is consistent with the general vision for the Town and the other goals, objectives, and policies of this Plan.

4.3 Interpreting Map Boundaries

Where uncertainty exists as to the boundaries of districts shown on the Future Land Use Map the following rules shall apply.³

1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines.
2. Boundaries indicated as approximately following platted lot lines or U.S. Public Land Survey lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following municipal boundaries shall be construed as following such boundaries.
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
5. Boundaries indicated as following shorelines and floodplains shall be construed to follow such shorelines and floodplains, and in the event of change in the shorelines and floodplains it shall be construed as moving the mapped boundary.
6. Boundaries indicated as following the centerlines of streams, rivers, canals, or other bodies of water shall be construed to follow such centerlines.
7. Boundaries indicated as parallel to extension of features indicated in the preceding above shall be so constructed. The scale of the map shall determine distances not specifically indicated on the maps.

³ With respect to the accuracy of this and other maps included in this document, a disclaimer is necessary. It has been mutually understood that these maps were adequate for planning purposes. Larger, more detailed maps held by Eau Claire County should be used to make zoning decisions when necessary. Due to scale limitations or potential data errors, it is recognized that disputes may arise concerning areas delineated on the maps. If a landowner or any other party alleges error or misrepresentation of map delineations, he or she must submit proof from recognized professionals that such is the case. If any errors are found, parties will be notified and relevant maps will be corrected.

4.4 Definitions

The following definitions guide the interpretation of key terms within the future land use policies. Refer to the Eau Claire County Zoning Code for additional rules and definitions not specifically addressed herein.

Data Sources: The landowner's name and land ownership configuration as of January 1, 2010 should be determined using the most recent available Plat Book for Eau Claire County (prior to 1/1/10), or tax records and record deeds on file with the Eau Claire County Register. (*Note this policy is only needed if the Town Of Clear Creek chooses to set the number of potential dwelling units based on a specific point in time.*)

Gross Density: This calculation shall be the total number of residential units proposed for the gross acreage of the parcel or parcels in questions and presented as "X" units per acre. Gross acreage includes all contiguous parcels held under single ownership. Final calculations of density and permitted units per acre shall be rounded to the nearest whole number.

Dwelling Unit: A residential structure or portion thereof containing a separate and complete living area for one-family, not including boarding houses, camping trailers, hotels, motor homes, or motels.

Farm Residences: A farm residence built before January 1, 2009, shall not count against the plan's density policies. A replacement to such a farm residence shall not count against these policies either. New residential structures built after January 1, 2010, shall count against the density policies.

Rounding: Rounding shall be allowed when calculating the number of units per acre permitted. The maximum number of dwelling units allowed shall be determined by dividing the total acreage of contiguous land under single ownership by the permitted density identified by this comprehensive plan. If the resulting quotient is a whole number, the owner may create that number of new dwelling units. If the quotient is a whole number plus a fraction, the owner may create that number of units equal to the whole number plus an additional unit if the remainder equals or exceeded one-half (50%). If the resultant quotient is less than a whole number the owner shall not create any additional units unless there are no existing units on the Eau Claire County Zoning Code.

Original Parcel = 35 acres Planned Density – 1 unit per 35 acre
Maximum New Dwelling units = 1 (35ac/35ac)

Original parcel = 50 acres Planned Density = 1 unit per 35 acres
Maximum New Dwelling units = 1 (50ac/35ac = 1.43)

Original parcel = 60 acres Planned Density = 1 unit per 35 acres
Maximum New Dwelling units = 2 (60ac/35ac = 1.71)

Original parcel = 30 acres Planned Density = 1 unit per 35 acres
Maximum New Dwelling units with existing nonfarm residence = 0 (30ac/35ac = .86)
Maximum New Dwelling units without existing nonfarm residence = 1 (30ac/35ac = .86)

Contiguous Parcels: The term “contiguous” is defined to mean “parcels of land that share a common boundary, including a connection at only one point, under single ownership (i.e. a public road, navigable waterway or railroad shall not be considered a break up of contiguous)”

Single Ownership: The term “single ownership” may include any land singly owned by one individual, jointly owned by a married couple including that individual, family-owned including that individual, or owned by a partnership or corporation in which the individual is a member.”

Minimum Lot size: Unless specifically determined within this Plan, the minimum lot size for parcels shall follow the requirements of the Eau Claire County Zoning Code. The minimum lot size shall exclude road right-of-ways, navigable bodies of water, and ingress and egress easements except for lots in the A-1, A-3, F-1, and F-2 Districts, which may include road rights-of-way. Parcel size should be calculated based on gross acreage (including roads and navigable waters.)

Commercial Use: A commercial use requiring a rezone away from A-1 Agricultural Exclusive after January 1, 2010 is considered the equivalent of one-dwelling unit.

Land Sales after January 1, 2010: Changes and reconfigurations in ownership of a single ownership parcel in existence on January 1, 2010, to not trigger new allotments of potential future dwelling units per the density policy. When land is sold or consolidated after January 1, 2010, the Town will use the following approaches to determine how many (if any) potential future dwelling units were transferred along with the land, (*Note this policy is only needed if the Town of Clear Creek chooses to set the number of potential dwelling units based on a specific point in time.*)

1. The Town encourages property owners to make clear in sales contracts how many potential future dwelling units (if any) are being transferred along with the land. The Town will use such a sales contract or similar document then considering development applications.
2. In the absence of a clearly understood sales contract or similar document, the Town will attempt to learn from all affected property owners the intent (in writing) and share that information with Eau Claire County Planning & Development Department. The written intent statement or affidavit should then be recorded against the deeds to all affected properties.

3. In the absence of a clearly understood statement of intent, the Town Board will attempt to make a determination based on the best available evidence and share that determination and rationale with the Eau Claire County Planning and Development Department.
4. In the absence of evidence satisfactory to the Town Board, all remaining future dwelling units shall remain with the largest portion of the 2010 parcel.

5 IMPLEMENTATION

5.1 Implementation Summary

The implementation chapter describes the implementation tools available to the community, including an assessment of current use and future intention to make use of those tools. This chapter also addresses the issue of consistency, including how this plan is consistent with existing policies that affect the Town and how local decisions must be consistent with this plan. In addition, this chapter describes the process for reviewing implementation progress and amending the plan in future years. Finally, this chapter provides a compilation of the local actions necessary to achieve the goals and objectives of this comprehensive plan. Each action is accompanied by a suggested timeline for completion, and a consolidated list of actions appears at the end of this section.

5.2 Implementation Tools

Local codes and ordinances are an important means of implementing the policies of a comprehensive plan. The zoning ordinance and subdivision regulations comprise the principal regulatory devices used to protect existing development and guide future growth as prescribed by the comprehensive plan. The Town Board is responsible for amending and adopting these local ordinances in conjunction with Eau Claire County. This plan provides guidance for land use and zoning changes.

Zoning Ordinance

Zoning is controlled through the Eau Claire County Zoning Code. The Town intends to use this plan along with the County's Zoning Ordinance to guide future development.

Official Maps

The Town does not currently utilize an official map as authorized to do so by state statute (65 ILCS 5 / Art. 11 Div. 12), and there are no immediate plans to create one.

Sign Regulations

The Town does not have a local sign ordinance. Sign requirements are regulated within the Town under the County's Zoning Code. This Plan includes several policies relating to sign development (Section 2.8) and the Town of Clear Creek should work to make sure they are addressed during development review.

Erosion/Stormwater Control Ordinances

The Town does not have a local erosion or stormwater control ordinance, and does not have plans to create one. Stormwater management and erosion control are regulated within the Town under the County's Land Conservation & Surveying Code.

Historic Preservation Ordinances

The Town does not have an historic preservation ordinance and does not have plans to adopt one.

Site Plan Regulations

The Town relies on the County's Zoning Code for site plan regulations, and does not have plans to create local regulations. However, Section 3.7 of this plan contains specific site and design principals that should be considered during the development review process.

Design Review Ordinances

The Town does not have a design review ordinance, and it does not intend to create one. However, Section 3.7 of this plan contains specific site and design principals that should be considered during the development review process.

Building Codes and Housing Codes

The Town requires adherence to the Uniform Dwelling Code, including building permit & inspection requirements.

Mechanical Codes

The Town requires adherence to all state mechanical codes.

Sanitary Codes

The Town requires adherence to the Wisconsin Sanitary Code & Eau Claire County Sanitary Code.

Land Division & Subdivision Ordinance

The division of land in the Town is regulated through the County's Subdivision Ordinance. This Plan includes recommendations to use conservation subdivision design principles.

5.3 Plan Adoption and Amendment Procedures

The procedures for comprehensive plan adoption or amendment are established by Wisconsin's Comprehensive Planning Law (66.1001, Stats.). This comprehensive plan and any future amendments must be adopted by the Town Board in the form of an adoption ordinance approved by a majority vote. Two important steps must occur before the Town Board may adopt or amend the plan: the Plan Commission must recommend adoption and the Town must hold an official public hearing.

Plan Commission Recommendation

The Plan Commission recommends adoption or amendment by passing a resolution that very briefly summarizes the plan and its components. The resolution should also reference the reasons for creating the plan and the public involvement process used during the planning process. The resolution must pass by a majority vote of the entire Commission, and the approved resolution should be included in the adopted plan document.

Public Hearing

Prior to adopting the Plan, the Town (either Town Board or Plan Commission) must hold at least one public hearing to discuss the proposed plan. At least 30 days prior to the hearing a Class 1 notice must be published that contains, at minimum, the following:

- The date, time and location of the hearing,
- A summary of the proposed plan or plan amendment,
- The local government staff who may be contacted for additional information,
- Where to inspect and how to obtain a copy of the proposed plan or amendment before the hearing.

The notice should also provide a method for submitting written comments, and those comments should be read at the public hearing.

Plan Adoption/Amendment

This plan and any future amendments become official Town policy when the Town Board passes, by a majority vote of all elected members, an adoption ordinance. The Board may choose to revise the plan after it has been recommended by the Plan Commission and after the public hearing. It is not a legal requirement to consult with the Plan Commission on such changes prior to adoption, but, depending on the significance of the revision, such consultation may be advisable.

5.4 Consistency among Plan Elements

Once formally adopted, the Plan becomes a tool for communicating the community's land use policy and for coordinating legislative decisions. Per the requirements of Wisconsin's Comprehensive Planning Law, beginning on January 1, 2010 if the Town of Clear Creek engages in any of the actions listed below, those actions will be consistent with its comprehensive plan:

- Official mapping established or amended under s. 62.23 (6)
- Local subdivision regulations under s. 236.45 or 236.46
- County zoning ordinances enacted or amended under s. 62.23 (7)
- Village or city zoning ordinances enacted or amended under s. 60.61, 60.62, 60.23 (7)
- Zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or 62.231

An action will be deemed consistent if:

1. It furthers, or at least does not interfere with, the goals, objectives, and policies of this plan,
2. It is compatible with the proposed future land uses and densities/intensities contained in this plan,
3. It carries out, as applicable, any specific proposals for community facilities, including transportation facilities, other specific public actions, or actions proposed by nonprofit and for-profit organizations that are contained in the plan.

The State of Wisconsin's Comprehensive Planning Law requires that the implementation element describe how each of the nine elements will be integrated and made consistent with the other elements of the plan. Prior to adoption of the plan the Town of Clear Creek reviewed, updated, and completed all elements of this plan together, and no inconsistencies were found.

5.5 Plan Monitoring, Amending & Updating

Although this Plan is intended to guide decisions and action by the Town over a 20-year period, it is impossible to predict future conditions in the Town. Amendments may be appropriate following original adoption, particularly if emerging issues or trends render aspects of the plan irrelevant or inappropriate. To monitor consistency with the Comprehensive Plan the Town will review its content prior to any important decisions, especially those that will affect land use. From time to time, the Town may be faced with an opportunity, such as a development proposal, that does not fit the plan but is widely viewed to be appropriate for the Town. Should the Town wish to approve such an opportunity, it must first amend the plan so that the decision is consistent with the plan. Such amendments should be carefully considered and should not become the standard response to proposals that do not fit the plan. Frequent amendments to meet individual development proposals threaten the integrity of the plan and the planning process and should be avoided.

Any change to the plan text or maps constitutes an amendment to the plan and must follow the adoption/amendment process described in Section 5.3. Either the Town Board or the Plan Commission may propose amendments, and each will need to approve the change per the statutory process. Amendments may be made at any time using this process; however, in most cases the Town should not amend the plan more than once per year. A common and recommended approach is to establish a consistent annual schedule for consideration of amendments. This process can begin with a joint meeting of the Plan Commission and Town Board (January), followed by Plan Commission recommendation (February), then the 30-day public notice procedures leading to a public hearing and vote on adoption by Town Board (March or April).

Some of the aspects of this plan require proactive action by the Town. A working action plan should be maintained on an annual basis, starting with the actions in Section 5.7 and evolving over time. Completed actions should be celebrated and removed, while those actions not yet carried out should be given new deadlines (if appropriate) and assigned to specific individuals, boards or committees for completion per the new schedule. If the updated action plan is consistent with the goals, objectives, and policies of the comprehensive plan, updating the action plan should not require an amendment to the plan and can be approved simply by Town Board resolution.

Wisconsin's comprehensive planning statute (66.1001) requires that this plan be updated at least once every 10 years. Unlike an amendment, the plan update is a major re-write of the plan document and supporting maps. The purpose of the update is to incorporate new data and ensure that the plan remains relevant to current conditions and decisions. The availability of new Census or mapping data and/or a series of significant changes in the community may justify an update after less than 10 years. Frequent requests for amendments to the plan should signal the need for a comprehensive update.

5.6 Severability

If any provision of this Comprehensive Plan will be found to be invalid or unconstitutional, or if the application of this Comprehensive Plan to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality will not affect the other provisions or applications of this Comprehensive Plan, which can be given effect without the invalid or unconstitutional provision or application.

5.7 Actions by Element

The following actions are intended to realize and reinforce the goals, objectives, and policies described in Chapter 3. Whereas policies are decision-making rules to determine how the Town will react to events, these actions require proactive effort. It should be noted that some of the actions may require considerable cooperation with others, including the citizens of Clear Creek, local civic and business associations, neighboring municipalities, Eau Claire County, and State agencies.

Timelines

Continual: This action does not require a specific task to be completed. It is enforced through continued conscious decision-making, existing ordinances, or by following the policies of this Plan, which is adopted by ordinance.

Short Term: This indicates that action should be taken in the next 5 years (highest priority).

Mid Term: This indicates that action should be taken in the next 10 years (medium priority).

Long Term: This indicates that action should be taken in the next 20 years (low priority).

Housing Actions

1. Update and enforce building code regulations. (Continual)

2. Consider the use of Community Development Block Grant (CDBG) funds to help provide, maintain, and rehabilitate housing for all incomes and ages. (Continual)

Transportation Actions

1. Continue to schedule and budget for road maintenance.

The Town will continue its road evaluation program using WisDOT's WISLR program. Road repairs should be included in a Capital Improvement Plan (CIP). This plan should be updated each year as part of the annual budgeting process. *(Continual)*

2. Promote Transit Service Alternatives

Collect information from Eau Claire County programs and private vendors that offer alternative transportation options for Town residents, and make this information available at Town Hall or on a Town website. *(Continual)*

Energy, Utilities & Community Facilities Actions

1. Create and Maintain a Capital Improvement Plan

Adopt a Capital Improvement Plan (CIP) to provide a strategic framework for making prioritized investments in a Town Hall, roads, and equipment (trucks, plows, etc.). The CIP should establish a 5-year schedule identifying projects and costs for each year. The CIP should be updated annually for the next 5-year period. *(Short term, Continual)*

2. Upgrade Town facilities & equipment to more energy efficient alternatives

Explore designs and costs for construction of a Town Hall. The Town will consider the use of energy efficient alternatives when upgrading the town's facilities or equipment. *(Short Term, Continual)*

3. Modify Town ordinances to require developers to pay Town costs related to a development

Adopt an ordinance requiring developers to reimburse the Town for professional fees associated with development review. *(Short Term)*

4. Provide a pamphlet, newsletter, or website describing Town policies and community norms

The Town will provide a pamphlet, newsletter, or website describing Town policies and community norms for new residents within the Town. Information may include explanations and contact information pertinent to the jurisdictions responsible for delivery of a variety of services, costs associated with services, and obligations of residents. *(Short Term)*

5. Provide a Town email list serve as a means to supplement required notification procedures

The Town will maintain an email list serve for those residents who are interested in receiving electronic updates regarding agendas for official Town meetings or information about changes to Town policies or services. *(Mid Term)*

Agriculture, Natural, & Cultural Resource Actions

1. Develop a “Right to Farm” disclosure.

The Town will consider preparation of a “Right to Farm” disclosure that can be attached to the deed of any newly created non-farm residential parcel in an area where farming is the preferred land use. This agreement should require the subdivider to acknowledge that farming is the primary land use in the immediate area and that the owner waives the right to object to odors, dust, or noise created by generally accepted farming practices. This document should stay with the land and apply to all future owners. (*Short Term, Refer to Appendix A for a sample document*)

2. Update the Eau Claire County Farmland Preservation Plan.

Although this is a countywide plan, the Town will work with Eau Claire County to update the portion dedicated to the Town of Clear Creek. Created in 1983, the *Eau Claire County Farmland Preservation Plan* should be updated to reflect development that has since occurred, or is proposed under the policies of this Plan. The purpose of the farmland preservation plan is to promote preservation of agricultural resources within the Town and to maintain eligibility for Wisconsin Farmland Preservation Tax Credits. In general, landowners are eligible for the tax credits if they are located in an area planned for agricultural preservation and have A1-EX zoning. The following text shall serve as a guide when determining those areas appropriate for eligibility within the farmland preservation plan:

- Parcels classified as Rural Preservation within this Plan should be considered for “Agricultural Preservation” designation under Chapter 91 Wis. State Statutes, so long as the areas meet the requirements for such delineation.
- All other parcels classified by this plan for a future use other than Rural Preservation should be considered for “Excluded” designation under Chapter 91. Wis. State Statutes.

The process of updating the County’s Farmland Preservation Plan may signal the need to update portions of the Town’s Comprehensive Plan to maintain consistency between the two documents. (*Short Term*)

Economic Development Actions

1. Promote “buy local” programs.

To support the local economy the Town should promote the use of “buy local” policies. (*Continual*)

Intergovernmental Cooperation Actions

1. Coordinate Growth Plans with neighboring communities, Eau Claire County, and school district officials.

Prior to the adoption of this Plan, and for subsequent updates, the Town will request comments from area school district officials, neighboring municipalities, and Eau Claire County. In addition, the Town will actively participate, review, monitor, and comment on pending plans from neighboring municipalities, Eau Claire County, and State or Federal agencies on land use or planning activities that would affect the Town. (*Continual*)

2. Identify opportunities for shared services or other cooperative planning efforts with appropriate units of government.

The Town will continue to work with neighboring municipalities and Eau Claire County to identify opportunities for shared services or other cooperative planning efforts. The Town will meet at least once per year with officials from neighboring communities to discuss opportunities for sharing services. (*Continual*)

Land Use Actions

1. Update zoning, land division, subdivision, site building, and landscaping regulations.

Beginning January 1, 2010, zoning changes and land division decisions must be consistent with the Comprehensive Plan. The Town, in conjunction with Eau Claire County, should review all existing ordinances for consistency with the policies of this Plan, including zoning, land division, subdivision, site, building, and landscaping regulation. (*Short Term*)

2. Adopt design guidelines or standards to regulate the character of new development.

The Town’s rural character could be threatened as new development occurs. To protect this character the Town will work with Eau Claire County to update zoning, land division, and subdivision ordinances to be consistent with the Community Design Principles established in this Plan. (*Mid Term*)

3. Establish a Purchase of Development Rights Program.

Pending a greater understanding of the implications of a purchase of development rights program on the Town, and County adoption of a PDR program, the mapped Rural Preservation areas may be appropriate areas for the use of this land preservation tool. *(Mid Term)*

4. Establish a Transfer of Development Rights Program.

Pending a greater understanding of the implications of a transfer of development rights program on the Town, and County adoption of a TDR program, the mapped Rural Preservation areas may be appropriate “sending areas” for dwelling units and mapped Rural Hamlet areas maybe appropriate “receiving areas” for dwelling units. *(Mid Term)*

Implementation and Plan Amendment Actions

1. Hold an annual comprehensive plan review meeting with the Town Board & Plan Commission.

In this meeting, the Town should review progress in implementing the actions of the Plan, establish new deadlines and responsibilities for new or unfinished actions, and identify any potential plan amendments. See Sections 5.3 and 5.5 for more information about reviewing and amending this plan. *(Continual)*

2. Update this Comprehensive Plan at least once every ten years, per the requirements of the State comprehensive planning law.

State statute requires a complete update of this plan at least once every ten years. Updates after less than 10 years may be appropriate due to the release of new Census or mapping data, or because of major changes in the community not anticipated by the current plan. *(Mid Term)*

Table 5.1: Consolidated List of Community Actions

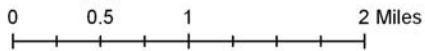
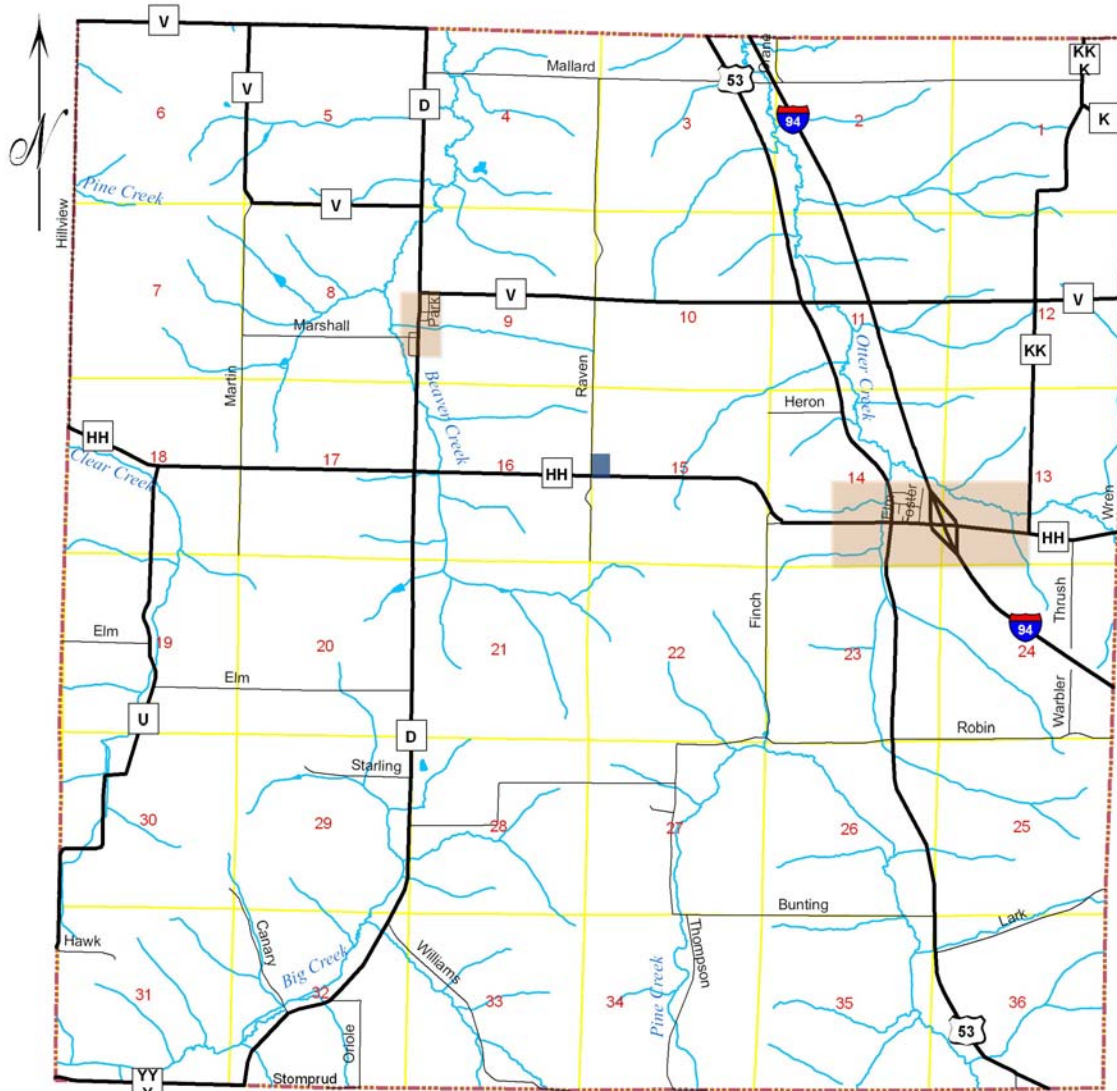
Action	Timeline
Update and enforce building code regulations	<i>Continual</i>
Consider the use of Community Development Block Grant (CDBG) funds to help provide, maintain, and rehabilitate housing for all incomes and ages	<i>Continual</i>
Promote Transit Service Alternatives	<i>Continual</i>
Create and Maintain a Capital Improvement Plan to address road maintenance, equipment, and the construction of a Town Hall.	<i>Continual</i>
Upgrade Town facilities & equipment to more energy efficient alternatives	<i>Continual</i>
Promote “buy local” programs	<i>Continual</i>
Coordinate Growth Plans with neighboring communities, Eau Claire County, and school district officials	<i>Continual</i>
Identify opportunities for shared services or other cooperative planning efforts with appropriate units of government	<i>Continual</i>
Hold an annual comprehensive plan review meeting with the Town Board & Plan Commission	<i>Continual</i>
Explore designs and costs for a Town Hall with consideration of the opinions expressed in the 2008 survey <i>(refer to Section 1.3)</i>	<i>Short Term</i>
Modify Town ordinances to require developer to pay Town costs related to a development	<i>Short Term</i>
Provide a pamphlet, newsletter, or website describing Town policies and community norms	<i>Short Term</i>
Develop a “Right to Farm” disclosure <i>(sample included in Appendix A)</i>	<i>Short Term</i>
Update the Eau Claire County Farmland Preservation Plan	<i>Short Term</i>
Update zoning, land division, subdivision, site building, and landscaping regulations for consistency with this comprehensive plan	<i>Short Term</i>
Provide a Town email list to serve as a means to supplement required notification procedures	<i>Mid Term</i>
Adopt design guidelines or standards to regulate the character of new development	<i>Mid Term</i>
Establish a Conservation Subdivision Ordinance	<i>Mid Term</i>
Establish a Purchase of Development Rights Program	<i>Mid Term</i>
Establish a Transfer of Development Rights Program	<i>Mid Term</i>
Update this Comprehensive Plan at least once every ten years, per the requirements of the State comprehensive planning law	<i>Mid Term</i>

Appendix A: Sample Right-to-Farm Acknowledgement

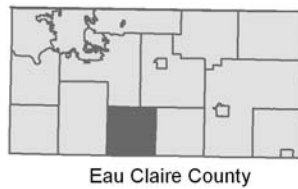
1. The owner or owners of this lot acknowledge that they are moving into an area where farming is promoted and encouraged as a land use and that the intent of the land use or zoning regulations on surrounding lands, adjacent lands, and other nearby lands are to preserve and protect farming.
2. The owner or owners of this lot agree that any farmer who operates a farm in the A-1 exclusive agricultural district, or any farmer who operates a farm in the vicinity of the owners lot even if that farm is in another zoning district, shall have the right to operate the farm in accord with common agricultural practices.
3. The owner or owners of this lot agree that common agricultural practices include, but are not limited to the following:
 - a. Plowing
 - b. Harvesting
 - c. Application of fertilizers and pesticides in accord with proper application rates and in accord with legal standards whenever applicable
 - d. Collection and storage of manure from livestock on the farm
 - e. Spreading of manure or application of municipal sewer sludge in accord with an approved application plan
 - f. Raising of livestock of all types, including pens and buildings intended for the housing and/or breeding of livestock
 - g. All dairying activities
 - h. Operation of heavy equipment including tractors, harvesters, excavation equipment, and trucks or other vehicles used in any of the agricultural practices mentioned above
4. The owner or owners of this lot acknowledge and agree that agricultural practices, including the noises, odors, dust, and other characteristics associated with those practices, can occur year around and at any time of the day or night due to factors such as, but not limited to, the type of crops being cultivated, any livestock kept on the premises, and weather conditions.
5. The owner or owners of this lot acknowledge that they have read Section 823.08 of the Wisconsin Statutes, as amended or renumbered, which applies to lawsuits in which agricultural uses are alleged to be a nuisance, and in the event that the owner believes that any farm in the A-1 exclusive agricultural district, or any farm in the vicinity of the owners lot even if the farm is in another zoning district, has become a nuisance, they shall seek relief through the circuit court system in accord with this Section of the Wisconsin Statutes.

Map A - Future Land Use

Town of Clear Creek



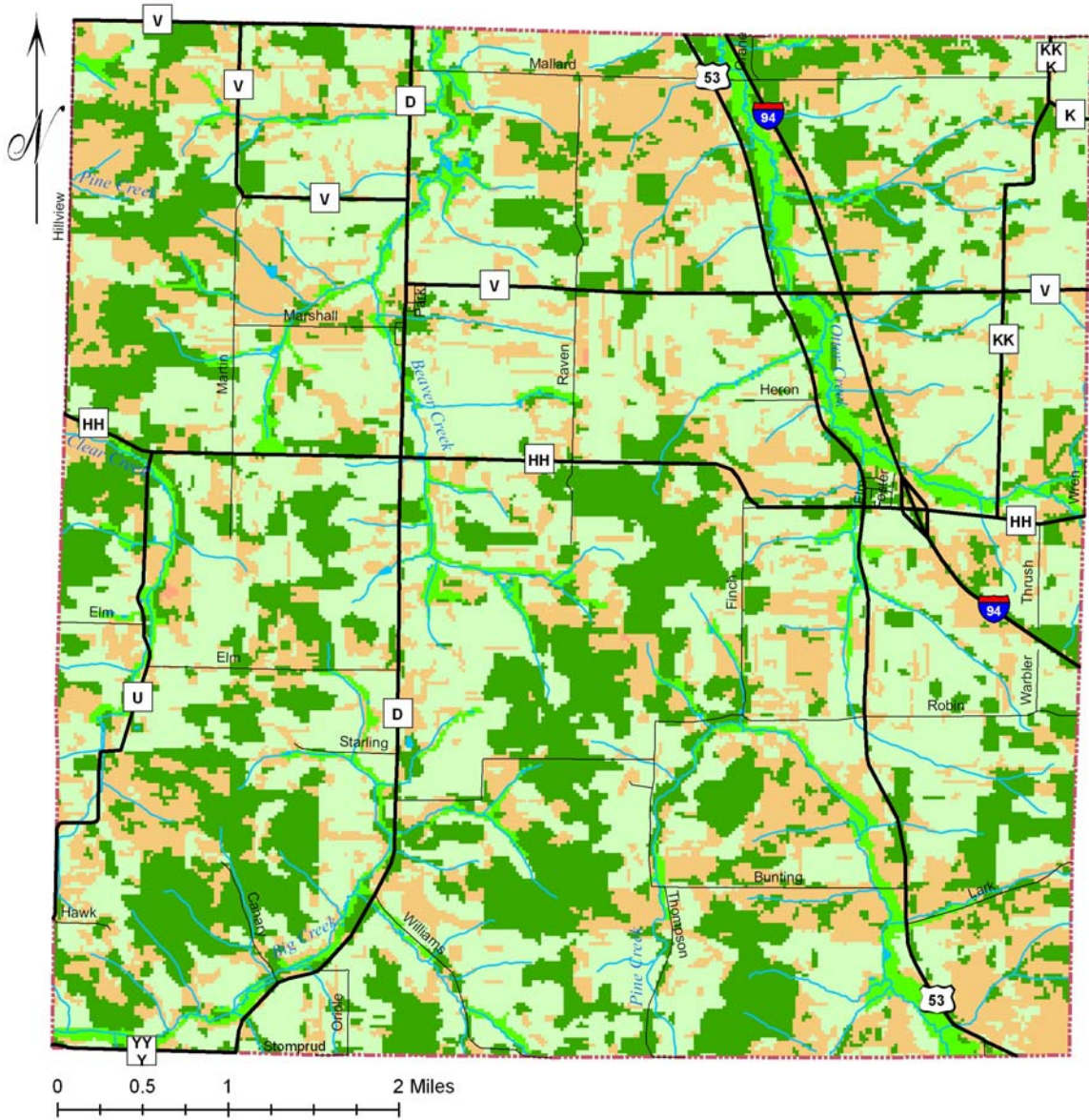
- = Rural Hamlet
- = Public & Institutional
- = Rural Preservation





Source: US Census TIGER Files 2000

Map B - Land Cover

Town of Clear Creek



Land Cover

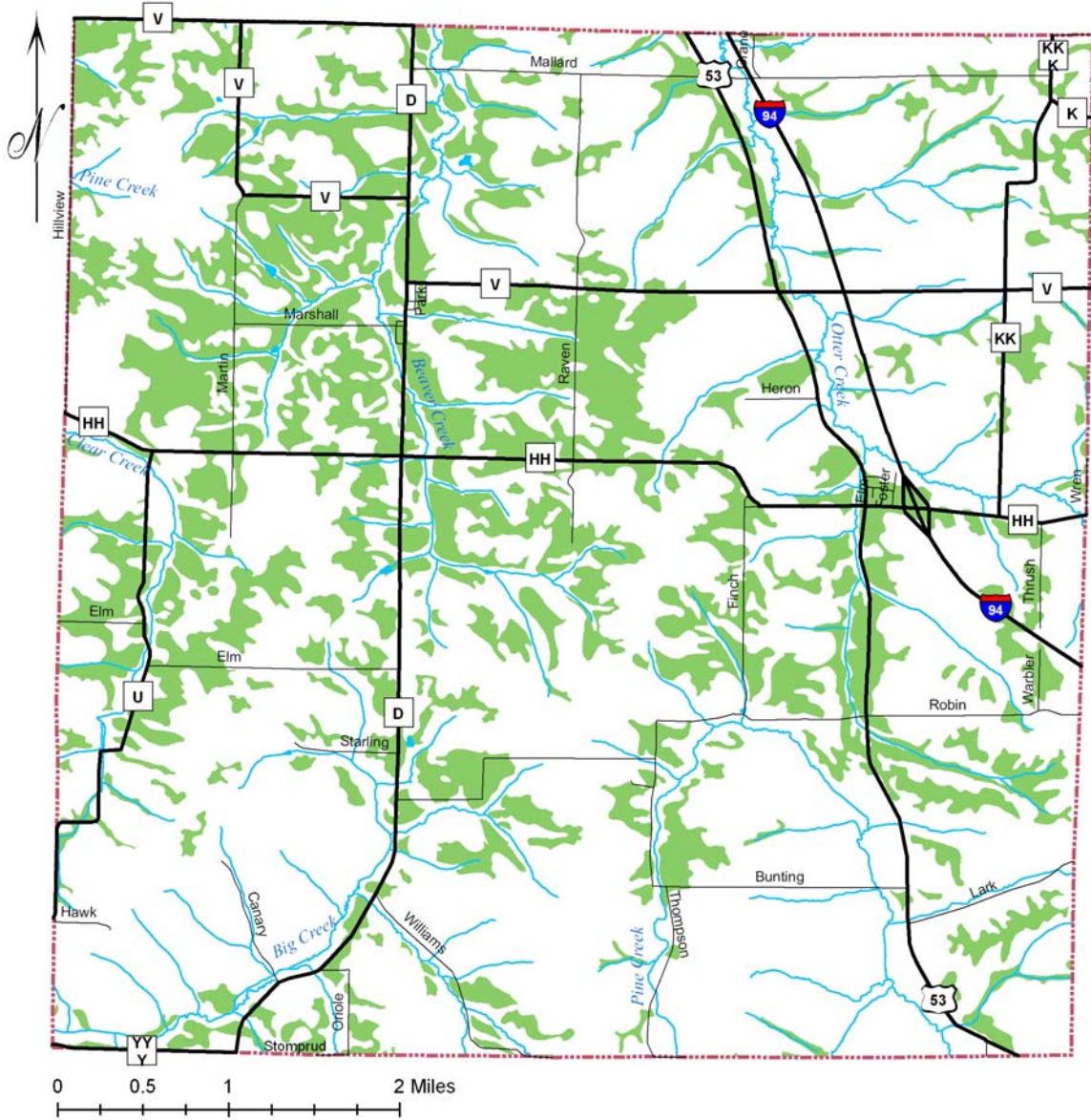
- | | |
|---|---|
|  Agriculture |  Open Water |
|  Barren |  Shrubland |
|  Forested Land |  Urban/Developed |
|  Forested Wetlands |  Wetland |
|  Grasslands | |




Source: WISCLAND 1998

Map C - Prime Farmland

Town of Clear Creek



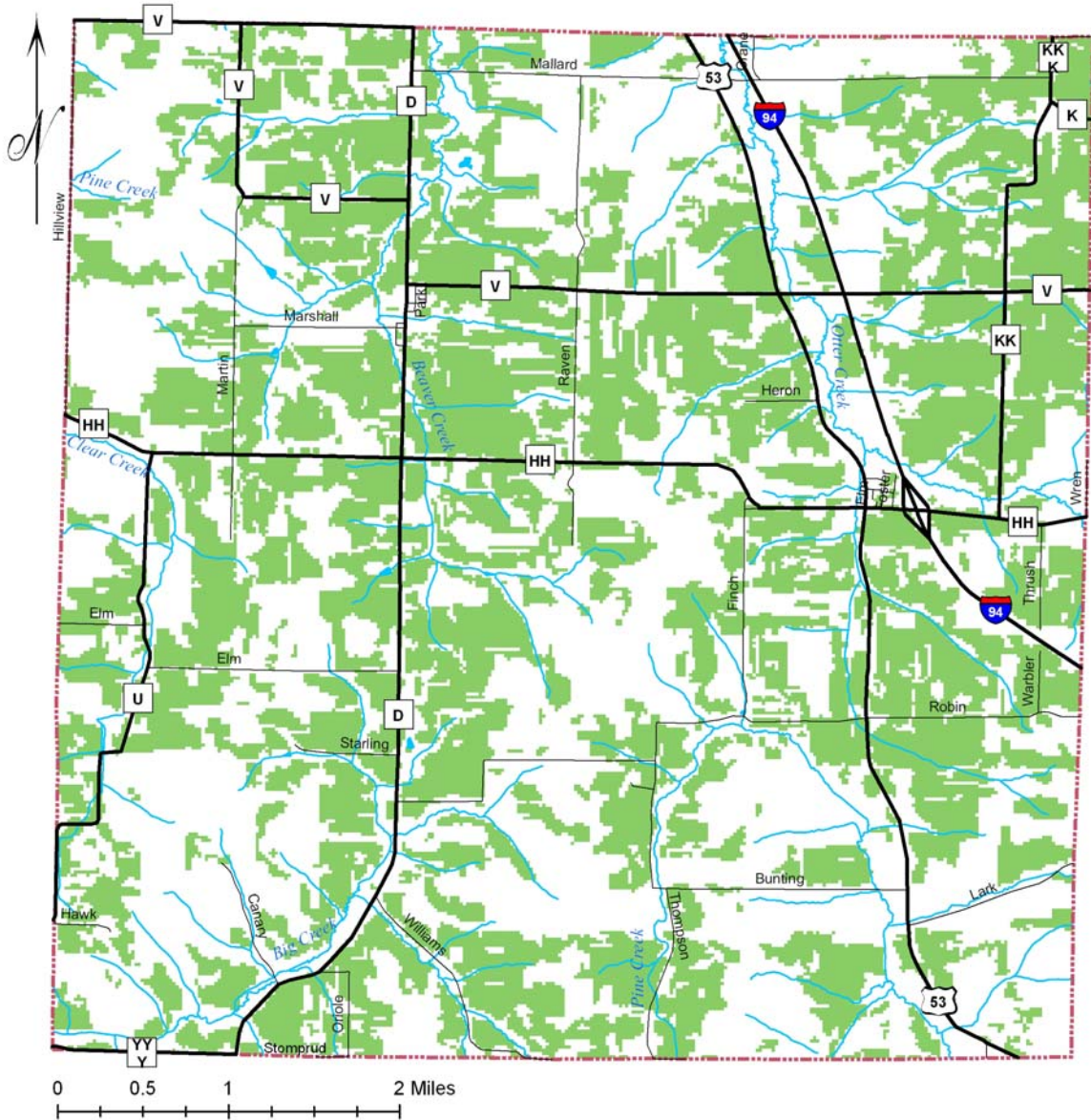
 Prime Farmland



Source: NRCS Soil Survey 1977

Map D - Cultivated Farmland

Town of Clear Creek



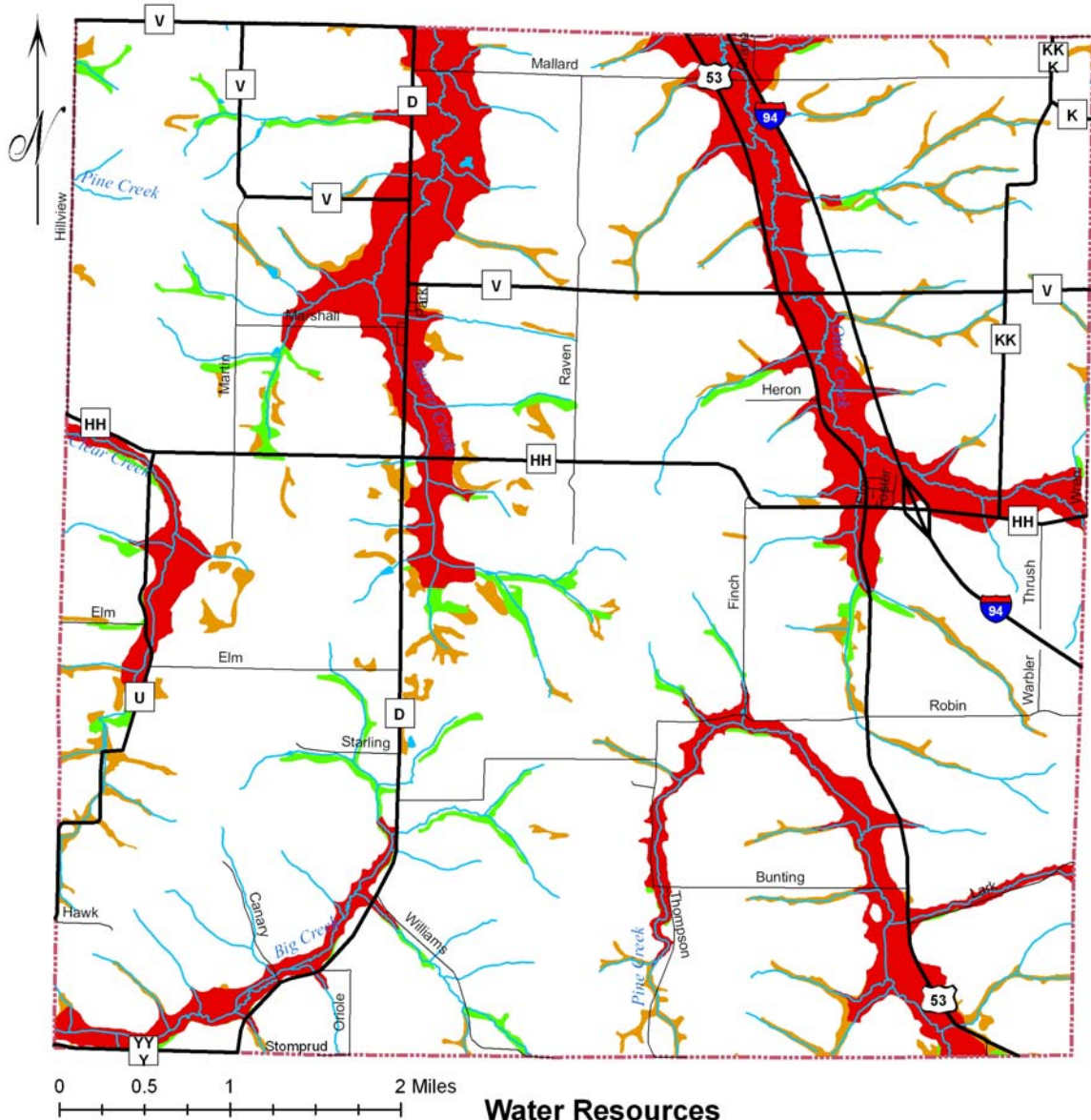
 Cultivated Farmland









Source: WISCLAND 1998

Map E - Water Resources

Town of Clear Creek



Water Resources

-  Rivers and Streams
-  Lakes and Ponds
-  Floodplain (100 year)
-  Wetlands
-  Depth to groundwater < 6'
-  Depth to groundwater 6' or >


 West Central Wisconsin Regional Planning Commission
 Drafted: LMO 02/06/09

Source: WisDNR 1996, NRCS Soil Survey 1977, & FIRM/FEMA

Map F - Steep Slopes

Town of Clear Creek



Steep Slopes

- 0% - 12%
- 12% - 20%
- greater than 20%



Source: USGS