

WISCONSIN LANDSCAPES

Citizens United for Responsible Land Use

A Quarterly Newsletter of 1000 Friends of Wisconsin
& 1000 Friends of Wisconsin Land Use Institute

Volume 4, Issue 1
February 2000

It's a paradox. People hate two things: sprawl and density. In other words, we hate both the affliction and the cure. A recent Milwaukee Journal Sentinel poll found that 34% believed that most growth should occur in major cities, but only 6% of us wanted to live there ourselves. Only 15% of us said that most growth should occur in rural areas, but 44% wanted to make their own home there.

In a poll conducted for the Congress for New Urbanism, people overwhelmingly approved of traditional urban features like town centers and shops mixed in with homes, but they didn't like the residential density which would make it possible.

Even forty years ago, Jane Jacobs, the author of the "Death & Life of Great American Cities" (perhaps the best book ever written about city life) wrote that advocating for greater density was like

34% of those polled believe that most growth should occur in major cities

*

6% want to live in a city

"swimming with the sharks."

And yet greater density and mixed uses are the surest answer to sprawl. Good cities are good for the environment because when people choose to make their home in cities they take up less land and, as a rule, they drive less.

Cities: The Salvation of Wilderness

Even city lawns are usually smaller, meaning fewer lawn chemicals to wash into lakes and streams.

And while cities are often referred to as "asphalt jungles," there is actually a lot more impervious surface per household in sprawling suburban developments.



McKinley Marina, Milwaukee
Photo by Raymond Eurich.

So, why is it that the concept of density and the idea of living in a city are so unpopular? That's the question 1000 Friends will be exploring intensively over the course of the next year and beyond.

Our ultimate goal is to start changing how we view cities; to get people to begin to view city living as perhaps among the very best personal choices we can make on behalf of the environment.

We will start with two conferences this spring at the Johnson Foundation's Wingspread Center where we'll explore these ideas with leading state thinkers in environmentalism, academia, journalism and ethics. We'll follow those small discussions with forums and lectures open to the general public.

Later this year, we'll publish our second anthology, "In My Neighborhood: A Celebration of Wisconsin's Cities." The idea behind the book is to focus the talents of Wisconsin writers on what is good about our state's cities. There is a great deal of good writing about the wonders of the natural landscape in our state. We want to spark an equally stirring literature of Wisconsin cities.

If we can get people to change their minds about cities, we can redirect development away from the countryside and save what's left of our natural heritage.

15% of those polled believe that growth should occur in rural areas

*

44% want to live in rural areas

Henry David Thoreau wrote, "in wilderness is the salvation of the world." We believe that it's equally true that in cities is the salvation of wilderness.

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Andrea Dearlove, Asst. Director
Meghan Morse, Program Asst.
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A Full Employment Act For Citizens

I got a call the other day from one of our members, a man for whom I have great respect, who was concerned about the Smart Growth law we had just written and successfully lobbied into existence. His concern was that the new law left too much authority in the hands of local officials, who he described as usually pro-development generally if not directly involved in development proposals themselves.

His argument points out exactly what needs to be done next: citizens need to get involved. The new law can't be characterized neatly as "top-down" or "bottom-up." The truth is that it is some of both. The law attempts to merge an effective way of managing growth with existing political reality -- which demands a heavy dose of local control.

But about one thing there is no doubt: Smart Growth puts the future of Wisconsin communities in the hands of their citizens. It creates a tremendous opportunity for us to write plans that will reign in sprawl and revitalize our neighborhoods with the assurance that those plans will actually have to be followed in the future. But the law does not assure success. Communities are given resources, they are guided and they are encouraged, but they are still free to fail.

Smart Growth For Wisconsin will succeed or fail based on the extent and the quality of citizen involvement. To help with that, our fourth annual conference will focus on bringing Smart Growth home, giving our members ideas about how they can use the new law to advance the values we all share. I hope I'll see you at our conference in Stevens Point on March 29th because Smart Growth is not a full employment act for planners and lawyers (they were doing fine before); it's a full employment act for citizens.

David Cieslewicz
Director, 1000 Friends of Wisconsin, Inc.

Welcome New 1000 Friends, Inc Members! We would like to thank those who have joined our fight to promote land use reform in Wisconsin. We also thank those members who have increased their investment in our organization's work. Thank you and Welcome!

Friends Society (\$500 to \$999)

- Braeger, Robert, 1729
Prager, Denis, 1762

Friends Fellowship (\$250 to \$499)

- Zeller, J., 1728
Dinsmoor, Elizabeth, 1688

Friends (\$100 to \$249)

- Blazkowski, Phil, 1780
Findley, Mary Lou, 1732
Herro, Charles & Patricia, 1723
Isham, Monique, 1770
Jacobi, Michael, 1765
Knop, Edward, 1726
Mather, Sally & John, 1088
McDaniel, Amy, 1679
Mitchell, Charles, 1695
Selje, Eric & Janine Frank, 1775

- Sinclair, Tom, 1666
Stuntebeck, Eileen, 1694
Sweasy, Janette, 1741

Regular Membership (\$35 to \$99)

- Alt, Robert & Paula, 1755
Beck, Nora, 1778
Becker, Cherri, 1683
Bennett, Sandra, 1781
Bordihn, William, 1701
Borger, Darrell & Susan, 1757
Burr, Charlotte, 1766
Connely, Jack, 1673
Coplien, Kim, 1772
Deery, Dennis, 1725
Deupree, Kay & Neil, 1750
Feldy, Scott, 1696
Girard, Colette, 1736

- Gollnick, Richard, 1661
Hanson, Delene, 1664
Hass, Renee & Steve Kram, 1714
Hirsch, Carrie, 1777
Lane, Jennie, 1680
Loken, Cecelia, 1774
Marshall, Jr., Charles, 1678
Meissner, David & Judith, 1759
Muraro, Deborah, 1768
Nett, Robert, 1742
Otto, Matthew, 1763
Petesch, MB, 1656
Piper, Robin & Kristal Kagy, 1711
Reyen, Molly & Scott, 1710
Skubal, Susan, 1761
Steinmann, Sue, 1708
Voss, Dieter & Ruth, 1687
Wilson, Patrick, 1667
Winker, Dale, 1776
Wolfensohn, Lawrence & Susan, 1686

Welcome & Goodbye

One of the first tasks I had the pleasure of performing with my new title was hiring two wonderful women to the Land Use Institute staff.

Lisa MacKinnon comes to us from the University of Wisconsin Law School. We first met Lisa last year when she was one of the first two law students to work on our Rural Counsel Project (please see the article on this project on page 5). She impressed and inspired us so much that we have asked her to stay with us as part-time counsel and director of the Rural Counsel Project. Lisa lives in Madison with her husband Eric and young daughter Fiona.

Meghan Morse joins us as our part-time office assistant. We met Meghan when she interned with 1000 Friends doing research for our Benchmarks Report 2000 (see the article about this report on page 4). Meghan is in her last semester at the University of Wisconsin—Madison working on her undergraduate degree in Sociology and Environmental Studies. Meghan's enthusiasm and incredible aptitude at running things smoothly makes her a welcome asset to our small staff.

Unfortunately, we also had to say goodbye to Carrie Hirsch, our office assistant for two years. Carrie got an offer she couldn't refuse to work with Asst. Prof. Brian Ohm and Prof. Douglas Jackson Smith of UW's Urban and Regional Planning on land use issues such as conservation subdivisions. We already miss Carrie, but know that she is still close by and we're glad that her work with 1000 Friends inspired further interest in Wisconsin's land use issues.

Andrea Dearlove

Director, The Land Use Institute

1000 Friends of Wisconsin Land Use Institute

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David Cieslewicz, Asst. Director
Kathy Bero, Waukesha Field Rep.
Lisa MacKinnon, Counsel
Meghan Morse, Program Asst.*

Welcome New Institute Members!

We would like to thank those who have joined our efforts to promote sound land use decision making in Wisconsin. We also thank those who have increased their investment in our work. Thank you and Welcome!

Friends Circle (\$1000 and up)

Christenson, Richard, 1716
City of Wausau, 1668
Cockrem, Michael, 1740

Friends Society (\$500 to \$999)

Beckwith, David, 1769

Friends Fellowship (\$250 to \$499)

Huston, Mary Jean, 66
Rayne, Peter, 1707
Schucking, Ivor & Lyn Johnson, 1782

Friends (\$100 to \$249)

Bower, Donna & Jerry, 1676
Carlson, K.A., 1689
Chambers, Richard, 1748
Coady, Bill, 1739
Cornelius, Juli, 1681
Davidson, Willard, 1754
Donnelley, Strachan, 1702
Flader, Susan, 1751

Franke, Harry, 1657
Friestad, J., 1715
Henne, Ann, 1712
Larson, Timothy, 1747
Londsdorf, David, 1756
McCabe, Marie, 1737
McCarthy, Jim & Liz, 1760
McDaniel, Amy, 1679
Mead, Robert, 1670
Patek, Patty & Allan, 1731
Rubino, Richard, 1783
Smith, Philip, 1779
Stuntebeck, Eileen, 1694

Regular Membership (\$35 to \$99)

Albright, Sue, 1753
Anderson, Roy, 1665
Bodden, Michael & Anne, 1674
Boettcher, Anne, 1746
Boville, Cynthia, 1699
Bownan, Mary, 1658
Breckenfelder, Ann, 1749

Broeske, Thomas, 1721
Cook, Melissa, 1697
Dahm, Steven, 1724
DeLong, Paul & Abby, 1743
Eldred, Heidi, 1745
Elkin, Vicki, 1735
Fermanich, Mark, 1660
Forbes, Anne & James Lorman, 1693
Franks, Catherine, 1704
Gillette, Pat, 1662
Goodman, Beth, 1675
Grant, Hillary, 1738
Hampton, Marilyn, 1684
Hazelton, John & Barrie, 1682
Hein, Linda, 1690
Hendrickson, Bill, 1705
Hoffermeister, Steve, 1698
Janssen, Gary & Georgia, 1752
Kenehan, Margaret, 1659
Kerr, Marla, 1718 (continued on pg. 6)
Kniaz, Harry & Lorna, 1767

Benchmarks Report 2000

At our last Annual Conference, we introduced our Benchmarks Report — a report that looks at land use indicators in five categories: cities, agriculture, historic preservation, wildlands and our land use infrastructure. After reporting on where we stand with regard to these land uses, we asked our membership to set goals for where they'd like us to be by the year 2020. The report has been printed and is now ready for distribution. Below please find excerpts from the report and information on how to order a copy.

The Benchmarks Report was designed to help us take stock of the state of land use in Wisconsin, and then use that knowledge to plan for our future. The project will report and evaluate land use trends and will track our progress on a bi-annual basis.

This will provide us with the opportunity to evaluate how we are doing as a state — and how 1000 Friends is doing as an organization — in fighting the sprawl that threatens the beauty and unique character of Wisconsin's landscapes. As the years pass and we continue to issue the report, we will be able to see what kind of progress we are making.

We hope you are able to use the booklet as a tool for understanding and participating in local land use issues. If you are involved in a local land use debate and you need to find data to support your claims, you may find some within the report. If you are writing to the editor of your local paper and want to include pertinent statistics, we hope you look within the Benchmarks Report.

As this is the first edition, we anticipate that each successive edition will offer more data on land use in Wisconsin — especially as more people become aware of the importance of land use to all our lives. We hope you

find it useful.

Below find some of the indicators found in the Benchmarks 2000 Report.

Some indicators from the Sprawl & Our Cities chapter:

- Per capita property taxes in center cities versus surrounding suburbs.
- Percent of metro population in center cities versus suburbs
- Public open space per 1000 residents in urban areas

Some indicators from the Sprawl & Our Farmland chapter:

- Selling price for farmland sold for development versus for land staying in agriculture
- Percent of development occurring on prime farmland
- Number of farmland acres protected by Purchase of Development Rights programs

Some indicators from the Sprawl & Our Wildlands chapter:

- Average parcel size of northern forest land
- Acres of wetland, prairie and oak savanna
- State Stewardship funds spent and number of acres

of public land acquired

Some indicators from the Sprawl & Our Cultural Heritage chapter:

- Estimated annual loss of historic structures statewide
- Number of Native American mounds that remain intact
- State funds committed to historic preservation

Some indicators from the Sprawl & Our State chapter:

- Miles of roads statewide
- Length of average commute
- Number of cities, villages, towns and counties with active comprehensive land

The first copy of our Benchmarks Report is free to all 1000 Friends members. Additional copies and copies for non-members are \$ 5.00

To order a copy of the Friends' Benchmarks 2000 Report, please send your name, address, and the number of reports you'd like to:

**1000 Friends of Wisconsin
Benchmarks 2000 Report
16 North Carroll St., Ste. 810
Madison, WI 53703**

**or email the above information to:
friends@1000friendsofwisconsin.com
with the subject "Benchmarks 2000
Report"**

Please email comments about the report — or suggestions for future indicators — to:

friends@1000friendsofwisconsin.com

The 1000 Friends Rural Counsel Project

Many of Wisconsin's rural towns are facing a similar problem: they watch daily as their community's agricultural and pastoral landscape is quickly converted to subdivisions. These towns often feel they have no power to control the development within their own borders.

Several years ago, 1000 Friends Land Use Institute board member and rural landowner Glenn Reynolds developed an idea for how 1000 Friends could assist rural towns in Wisconsin who want to protect their communities from growing development pressures. With a little persistence and faith in the commitment of 1000 Friends to fighting sprawl, the Rural Counsel Project was established in the Spring of 1999. A partnership of 1000 Friends of Wisconsin, the University of Wisconsin Law School and the Wisconsin Towns Association, the Project was created to address the land use needs of Wisconsin's rural towns.

Each Fall and Spring, the Rural Counsel Project works with two rural Wisconsin towns that have an adopted land use plan in place. The Project Director works with two UW law students, who are enrolled in the Wisconsin Department of Justice law externship program, to help the towns implement and strengthen the goals and policies of their land use plans. More specifically, the project director and students:

- Draft new or revise current land use related ordinances such as land division, building and driveway ordinances to support the goals of their land use plan and prepare the town for the public ordinance adoption process;
- Offer advice on how to create

non-arbitrary and consistent processes for making land use decisions that are both in compliance with the land use plan and legally enforceable; and

- Address other land-use related concerns, such as the requirements and implementation of the new Smart Growth law.

Towns are chosen for the Project based on several factors (besides their position on the waiting list), including:

- The level of development pressure the town is facing;
- The town's need for the services (i.e., does the town already have a fairly comprehensive set of ordinances or is the town starting from scratch with its land use policies?);
- The town's willingness to work together in a non-confrontational manner to find solutions to their land use debates;
- Travel time to the town. The students and Project Director must be able to travel from Madison to the town for monthly board / plan commission meetings within a reasonable amount of time. Since we do not currently have any satellite offices we have to limit our geographical area. *Towns located outside of this area, however, may still benefit from the clearinghouse of information we are gathering.*

Generally, the Director and law

students spend three to four months working with each town. Each participating town is charged a fee that is based on assessed property values.

Each town that has participated in the program thus far has had different land use concerns and levels of development pressure. Therefore, with each town, the project evolves and creates a larger tool chest of creative ways to address land use challenges. Towns that have participated in the Rural Counsel Project thus far are Lodi and Lowville in Columbia County, Koshkonong in Jefferson County, Vermont in Dane County, Wyoming in Iowa County, and Honey Creek in Sauk County. Lisa MacKinnon, one of the first students to intern for the project now serves as 1000 Friends' attorney and supervises the project. 1000 Friends board member and UW Law School Emeritus Professor, Arlen Christenson provides useful assistance both as the Law School liaison and as a guiding presence at weekly roundtable discussions with the students. Glenn Reynolds continues to offer guidance and advice on the project.

For more information on the Rural Counsel Project, please contact Lisa MacKinnon, Rural Counsel Project Director and Attorney for 1000 Friends of Wisconsin at (608) 259-1000.

Legislative Update

The Legislature finishes its two year cycle on March 30th. Here is an update on items related to our *WisConservation* land use agenda. All information is as of press time on February 17th.

Tax Incremental Financing (AB-559). This bill, written by 1000 Friends and sponsored by Rep. Peter Bock of Milwaukee would reign in the use of TIF (a taxpayer subsidy) for the development of open space land on the edge of cities. We found that TIF has been used to fund the development of about 30,000 acres of mostly farmland. Our bill would return the law to its original intent of aiding infill redevelopment. *Status: In the Assembly Ways & Means Committee.*

Stewardship Fund Increase (SB-357). This provision in a broader “mini budget” bill introduced by Sen. Chuck Chvala of Madison would bring the program to the full \$600 million over ten years that 1000 Friends originally proposed. While we were pleased that the Legislature and Governor doubled the existing program to \$460 million in the full state budget last year, we support this attempt to get the program even closer to our vision of what is needed. *Status: Passed the Senate, in the Assembly.*

Historic Preservation (SB-352 & AB-690). These identical bills

from Sen. Bob Jauch of Poplar and Rep. Steve Freese of Dodgeville would create a Historic Trust of \$20 million over the next 10 years to support local historic preservation efforts. It was included in last year’s state budget, but vetoed by the Governor. *Status: SB-352 is in the Senate Government Operations Committee. AB-690 is in the Assembly Tourism & Recreation Committee.*

Farmland Preservation. Sponsored by Sen. Brian Burke of Milwaukee, this bill would close a significant loophole opened in the budget bill last year. The budget bill eliminated the “35 acre rule,” a requirement that exclusive agricultural zoning ordinances could not allow houses on parcels of less than 35 acres. While we support permitting smaller lots, eliminating it altogether could result in an explosion of development in the countryside. Our solution would allow for any size lot but limit overall density to not more than one lot per 35 acres. *Status: Not yet introduced at press time.*

Smart Growth Technical Amendments. Supported by the

coalition of groups which we put together behind the original Smart Growth law, this bill makes technical corrections to the law and clarifies some issues. It makes no major changes to the law. *Status: Not yet introduced at press time.*

Property Rights Bills (AB-737 & AB-738). Authored by Rep. Sheryl Albers of Loganville, these bills are designed to essentially paralyze local communities from making any land use decisions in the public interest. AB-737 would give developers and landowners the opportunity to demand “mitigation” for virtually any decision that does not allow them the full development of their land. AB-738 would grant a property tax exemption for all land that is not “economically viable” because its use has been restricted by a zoning ordinance or other action. These are dangerous bills, which we strongly oppose. *Status: AB-737 is in the Assembly Committee on Conservation & Land Use while AB-738 is in the Joint Survey Committee on Tax Exemptions.*

Billboard Control (SB-18) Sponsored by Sen. Jim Baumgart of Sheboygan, this bill would place restrictions on new billboards and establish a fund to buy and remove billboards. Billboard blight is a growing problem and this bill addresses it in a sensible way. *Status: In the Senate Tourism*

Comm 83. This Department of Commerce administrative rule was given passive approval (there was no vote) by the committees charged with its review. The rule would open 25% of the Wisconsin landscape to increased development pressure, yet only 22% of the communities most affected have any land use plan in place at all and a third have no zoning. 1000 Friends has joined a law suit to stop the rule from going into effect and has pledged \$1,000 toward the legal fight. If you would like to help us finance this court battle, please send your check, made out to “1000 Friends of Wisconsin” to:

**1000 Friends
Stop Comm 83 Fund**
16 N. Carroll St., Ste. 810

Welcome New Members, cont.

Koenning, Keith, 1722
Kovar, Bob & Carolyn, 1730
Lathrop, Richard, 1691
Locke, Louis & Frankie, 1677
Lubach, Gabriele, 1672
McIntosh, James, 1717
McNabb, Brent, 1764
Miller, James & Kirsten, 1706
Nathan, Simone & Roger, 1733
Nelson, Nancy, 1734
Newton, Mary, 1685
Peri, Phyllis, 1713
Pielsticker, Bill & Kathy, 1692
Plumitis, John, 1663

Poehlman, J., 1703
Rewolinski, Thomas, 1744
Riverland Conservancy,
Jen Stewart, 1727
Rodel, Kathleen, 1669
Satterwhite, John, 1773
Sperko, Tracey, 1720
Strangstad, Lyn, 1671
Van Berkel, Joe, 1758
Vickerman, Michael, 1709
Weissbach, Annette, 1700

The 1000 Friends Annual Conference
Wednesday, March 29th, 2000
UW Stevens Point, Wisconsin
Bringing Smart Growth Home

Last year, 1000 Friends of Wisconsin wrote and passed "Smart Growth for Wisconsin," the most significant improvement in Wisconsin's land use laws in generations. The new law provides minimum standards for local plans, goals for planning, state assistance for local planning efforts and incentives for communities to actually grow compactly. Moreover, by 2010 every community in Wisconsin will have to have a comprehensive plan as a condition for taking any land use action.

Smart Growth is largely — but not entirely — a locally driven process. The law will succeed or fail based on how well it is carried out by citizens working with their local governments. Our fourth annual conference will give our members and conservation-minded citizens the tools they need to make Smart Growth work on the ground to actually reduce sprawl, strengthen neighborhoods, reduce reliance on auto travel and protect farmland and natural areas.

Conference Agenda:

- 9:30 to 10:00 **Registration**
- 10:00 to 11:00 **Projects of the Land Use Institute**
- 11:00 to 11:30 **Projects of 1000 Friends, Inc**
- 11:30 to 12:00 **Smart Growth: The Nuts & Bolts**
- 12:00 to 1:30 **Lunch & Keynote: Sen. Brian
Burke *Smart Growth — A Law of Self-Determination***
- 1:30 to 4:00 **Smart Growth Primers**
 Primer 1: Smart Growth & Citizen Involvement
 Primer 2: Smart Growth & New Urbanism
 Primer 3: Smart Growth & Transportation
 Primer 4: Smart Growth & Open Space Preservation
- 4:00 to 4:30 **Questions & Panel Discussion**

The conference will be held in the Alumni Room at the UW-Stevens Point's University Center.

Registration Fee

- | | |
|--|------|
| q 1000 Friends Member | \$30 |
| q Non-Member | \$45 |
| q Student | \$20 |
| q New membership plus
registration fee for conference | \$65 |

Registration includes lunch & materials

- q I would like a vegetarian lunch.

Name _____

Organization _____

Address _____

City/State/Zip _____

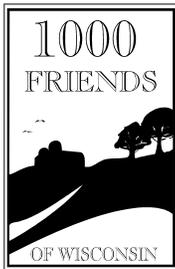
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**Your 1000 Friends of Wisconsin
February 2000 Newsletter is here!
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- ^q The 1000 Friends Rural Counsel Project
- ^q Legislative Update
- ^q Registration for our Annual Conference 2000

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