

TOWN OF MERCER DEVELOPMENT PLAN

SEPTEMBER 1998



Prepared by
NORTHWEST REGIONAL PLANNING COMMISSION

ACKNOWLEDGEMENTS

MERCER TOWN BOARD

Special recognition is due the members of the Mercer Town Board who had the foresight to take the first step toward managing the future of their community.

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MERCER LAND USE TASK FORCE

This project would not be possible without the dedication of the following Mercer citizens who were appointed by the Town Board to serve on the Land Use Task Force. This group provided invaluable input into designing the survey, implementing project objectives, encouraging citizen input and making recommendations on how the information gathered should be used to guide Mercer's development.

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This planning project was funded jointly by the Town of Mercer and the Wisconsin Department of Natural Resources Lakes Planning, Management and Protection Grant Program

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INTRODUCTION

The Town of Mercer is located in southern Iron County in the "lake region" of Wisconsin's northwoods. The Town's population of 1,385 residents (1996 estimate) represents approximately 22% of Iron County's total population. Official Wisconsin population estimates for Mercer predict moderate population growth of just under 4% by the year 2005.

Mercer has begun to experience increased development pressure over the past several years. In fact, more than 75% of new building permits granted by Iron County have been issued within this Town. The four-lane access via USH 51 is extending from major southern Wisconsin and Illinois metropolitan areas to within 25 miles of the Town's southern border. Naturally, concern is growing that Mercer will soon face even greater land development pressures. Citizen concerns about maintaining Mercer's "northwoods character" and protection of its natural resources, while providing for economic development, were clearly articulated through the results of this survey and from comments received during public input meetings.

Mercer has more than 59 lakes over 10 acres in size which amounts to 37% of all Iron County lakes. Many of these lakes are located within the Turtle River watershed. Mercer's high quality, highly desirable lakes, rivers, wetlands, and forest lands have so far sustained development demand from people interested in relocating to the community, whether for building second homes for recreational purposes or for purchasing property for investment purposes.

In 1995, the Town received a Wisconsin Department of Natural Resources (WDNR) Lake Protection Grant to: (1) classify all lakes in Mercer based on the ability of individual lakes to accommodate development, (2) survey Mercer permanent and seasonal residents on how Mercer should plan for future development, and (3) make specific zoning recommendations based on these findings.

Mercer is included under Iron County's comprehensive county zoning ordinance. Iron County has not yet developed a county land use plan. However, in 1996, an attempt was made by the county to help regulate or direct shoreland development when it increased the minimum number of feet required for lake frontage development from 100 to 150 feet.

This planning study was undertaken at the request of the Town of Mercer and the citizens of Mercer to address a number of concerns about development within the Town. These concerns have had a significant influence on the physical development and character of the Town, as well as its future direction.

1. The general character of the community is being affected by unsightly development and land use conflicts;
2. Demand for lakefront property and lake access has caused increased development pressure on lakes in the Town. Many lakes are threatened with overcrowding and the

problems associated with overuse such as public recreation conflicts, surface water use conflicts, adverse impacts to sensitive riparian and littoral habitats;

3. A loss of "northwoods character";
4. A widespread perception that existing land use controls and guidance have not kept pace with the changing conditions caused by high growth rates and the demand for northwoods real estate.

The plan will provide town and county officials with a guide for reviewing subdivision plats, certified survey maps, rezoning requests, and other land use proposals. In addition to the public sector, the plan will also benefit the private sector by providing a level of expectation and assurance as to Town plans.

The plan is intended to address the land use issues present in the Town, but it is not intended to serve as a comprehensive general plan for the Town of Mercer. It does not specifically address issues such as housing needs, capital improvements programming, or protective services. Those elements may be added to this document as the need arises.

After the initial inventory of the planning area, the Iron County UW-Extension developed, distributed, and analyzed a sample survey on growth and development planning issues and local perceptions and needs; the results of which are used many places in this report. The Extension office also provided important leadership in organizing, directing, and recapping all of the public input forums held during the planning process.

The Town and Northwest Regional Planning Commission wishes to thank Cathy Techtmann, Iron County UW-Extension for her commitment of time and expertise to this project.

SECTION I

THE NATURAL ENVIRONMENT

Introduction

Land development policies, explicit or implicit, that are meant to accommodate growth and plans and policies for land use location, roadways, sewer/water extension, etc., must be based upon and compatible with certain natural resource considerations that support or hinder land use activities. Natural resource elements are defined and identified by physiographic, geologic, vegetative, and hydrologic characteristics. These natural resource elements are:

topography and surface water,
floodplains,
wetlands,
groundwater,
soils (presenting severe limitations for development), and
woodlands.

Consideration of these natural resource elements should shape, structure, and provide the pattern for land development and related activities.

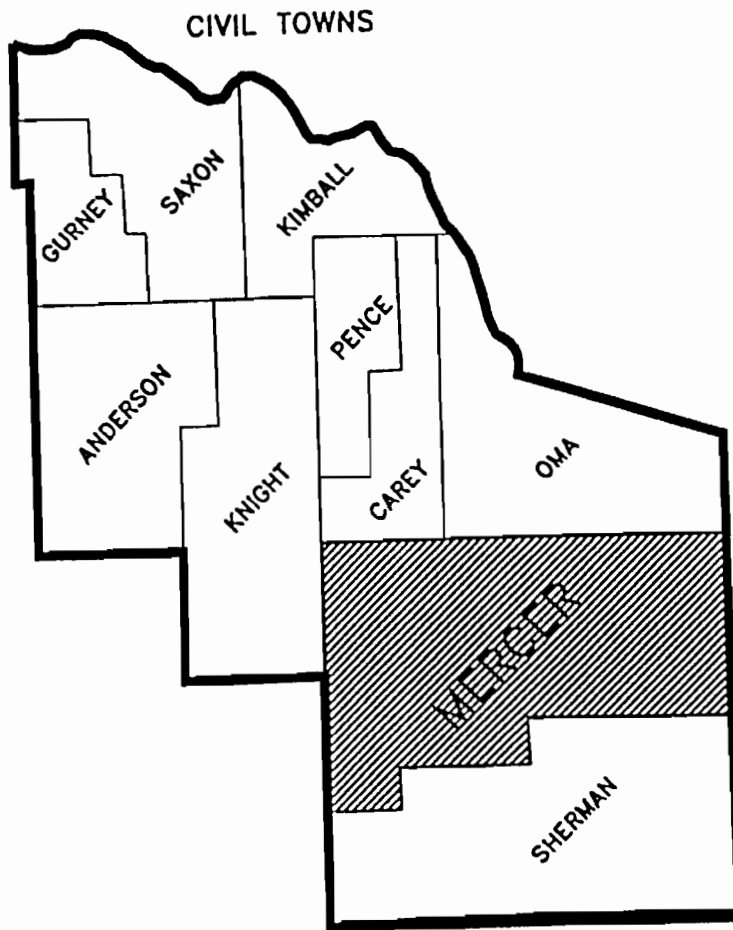
The protection of certain natural resources is necessary for the welfare of both people and the environment. By allowing natural processes such as the hydrologic cycle/system to function without impediment, property, water supply, and environment are protected. The protection of natural resources also preserves important ecological communities. Certain natural resources have more than merely aesthetic and leisure-time activity values. They are essential to long-term human survival and the preservation of life, health, and general welfare. As such, the protection and/or management of these natural resources clearly is in the public interest. Thus, the analysis of those natural resources found within the study area is done for the purpose of directing development away from specific areas not intrinsically suitable for a particular use and given the physical characteristics found within the study area, to at least guide development in a direction that is least disruptive. An analysis of the significant natural resources found within/about the study area follows.

Topography and Surface Water

As part of the northern highland geomorphic region of Wisconsin, the Town of Mercer is characterized as a pitted out-wash plain of heavily forested terrain with many lakes, potholes, and wetlands. The topographic features of the Town are resultant from the last glacial age which occurred about 15,000 years ago. As the ice retreated, large blocks of ice broke off and became buried in the drift and melted forming deep pits or kettles. The Town contains a significant number of lakes, most of which are of kettle origin. Mercer has 101 named and approximately 100 unnamed lakes ranging in size and totaling about 10,700 acres. Surface water comprises approximately 10.8% of the total area of the Town of Mercer. The major water body is the Turtle/Flambeau Flowage. The majority of Mercer lies within the Flambeau River Watershed which is part of the larger Chippewa River Basin. Most surface and groundwater discharge from this watershed eventually moves through the Turtle and Manitowish Rivers to the Flambeau River.

IRON COUNTY

Town of Mercer



Floodplains

Areas susceptible to flooding are considered unsuitable for development because of risks to lives and property. Effective in 1981, the Flood Hazard Boundary Map (FHBM) for Iron County is the most recent source for identifying areas subject to flooding in the Town of Mercer; these flood hazard maps are available from the Iron County Zoning Office. The FHBM is intended to be general in nature and additional field checking may be required to determine whether or not a given area is in the floodplain before development is authorized or denied.

Wetlands

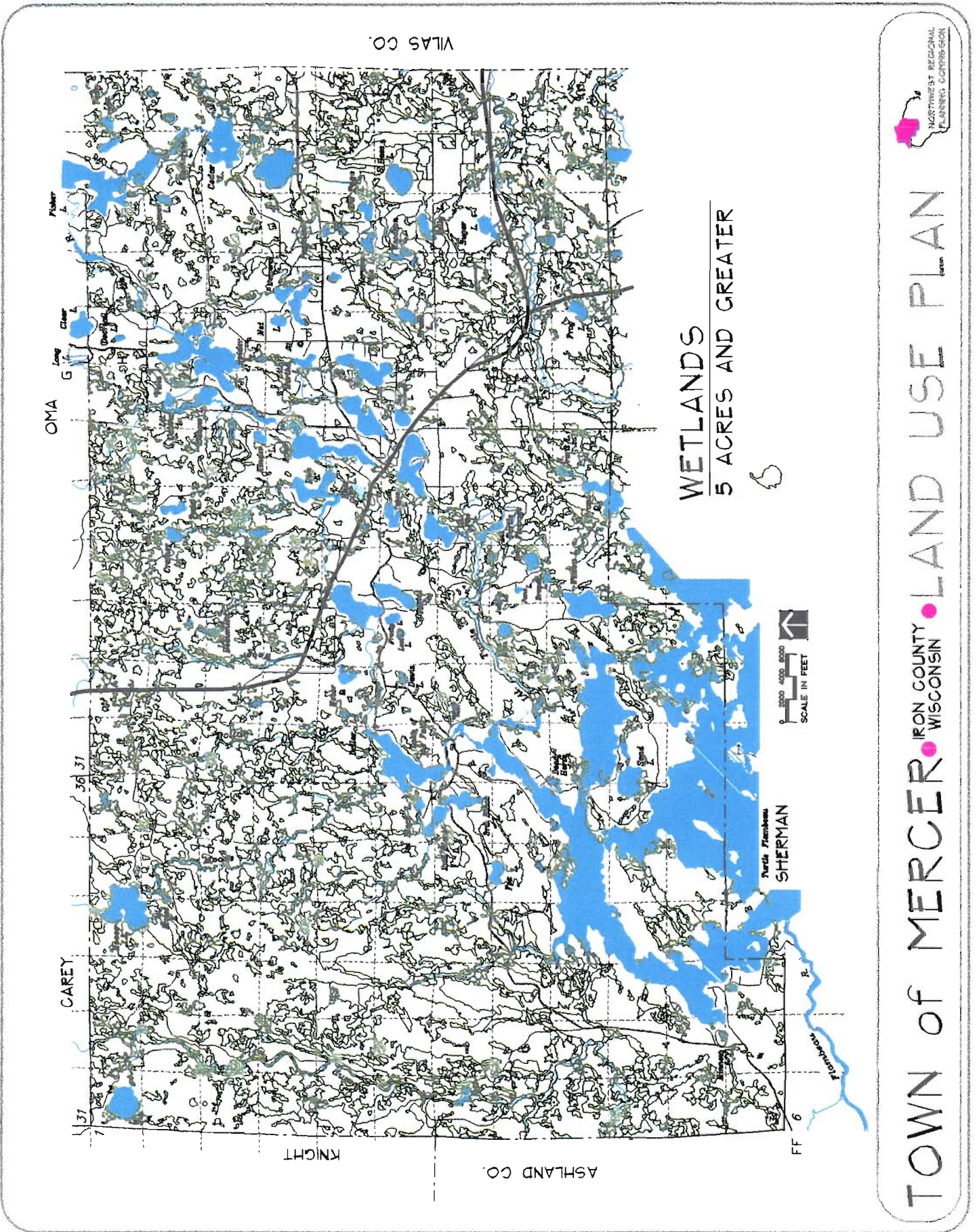
Wetlands serve several important environmental functions including flood control, water quality improvement, and groundwater recharge as well as providing habitat for fish and wildlife. Figure 1 delineates wetlands (5 acres and over) mapped by the WDNR on its digital Wisconsin Wetland Inventory Maps and may not reflect all areas considered wetlands by the United States Department of Agriculture (USDA) or the Army Corps of Engineers.

A complex set of local, state, and federal regulations place limitations on the development and use of wetlands. The Shoreland/Wetland Zoning Ordinance adopted by Iron County regulates shoreland use and development within 300 feet of navigable streams and 1,000 feet of lakes. The WDNR regulates the placement of structures and other alterations below the ordinary high water mark of navigable streams and lakes. The Corps of Engineers has authority over the placement of fill materials in virtually all wetlands. Prior to placing fill or altering wetland resources, the appropriate agencies should be contacted to receive authorization. As Figure 1 indicates, wetlands are scattered throughout the Town with some of significant size. Approximately 14% (15,500 acres) of the gross land area of the Town is taken up by wetlands. These wetlands include a wide diversity of wetland types from emergent/wet meadow to scrub/shrub to deciduous and coniferous forest.

Geology

The Town is underlain by a Precambrian basement complex consisting of metamorphic and igneous formations of massive granite, quartzite, and traprock. These formations do not contribute materially to the topography of the Town.

Figure 1



Climate

The climate of Mercer is classified as continental. Winters are long, snowy, and cold with an average monthly temperature in January of 13°F. Summers are warm with an average monthly temperature of 67°F in July. The growing season averages 103 days. Spring and fall are often mixtures of both winter and summer. Regional averages indicate a snowfall in excess of 80 inches for most of Iron County with greater accumulations common in the Penokee Range. Annual precipitation averages about 31 inches. About 65% of the annual precipitation occurs from May through September with June tending to be the rainiest month and February the driest.

The prevailing winds are from the northwest and west from late fall through early spring and southerly during the remaining months. April and November are the windiest months, while July and August are least windy. The highest wind speeds are usually westerly.

Groundwater

Together with the lakes, streams, and wetlands comprising surface water resources, groundwater contained in subsurface aquifers completes the terrestrial portion of the hydrologic cycle. During periods of increased precipitation or thaw, this vast resource is replenished with water moving by gravity through permeable soils. In the northern region, major areas of recharge occur in outwash sand and gravel deposits and glacial till composed of unstratified sand, gravel, and clay.

Municipalities overlying the aquifer pump the available groundwater for use in public, domestic, industrial, and recreational supplies. Rural wells irrigate fields, water animals, and supply homes. Under natural conditions, the aquifers generally receive clean water from rainfall percolating through the overlying soils. However, contamination of groundwater reserves can result from such sources as percolation of water through improperly placed or maintained landfill sites, private waste disposal (septic effluent), excessive lawn and garden fertilizers and pesticides, leaks from sewer pipes, and seepage from mining operations into the aquifer. Protection of these groundwater reserves is necessary to ensure adequate quality water to domestic, agricultural, and industrial users. Groundwater flow is generally south-southwesterly through the Town and into Price County.

Soils

Soils provide the physical base for development within the Town. Knowledge of the potentials and limitations of soil types is necessary to evaluate crop production capabilities or when considering construction of buildings, installation of utilities, or other uses of land. Problems that limit development on certain soils include poor filtration, slow percolation, flooding or ponding, wetness, slope, and subsidence. A "severe" limitation indicates that one or more soil properties or site features are so unfavorable or difficult to overcome that a major increase in construction effort, special design, or intensive maintenance is required. For some soils rated severe, such costly measures may not be feasible.

The soils of Mercer have been chiefly derived from the weathering of glacial deposits. The most extensive soil group is the rolling gray-brown loams which cover about three-fifths of the region. Organic soils are prominent and are found along stream courses, in low, poorly drained depressions between morainic ridges and in the ground moraine. The generalized soil survey for Iron County indicates that the vast majority of the soils present have moderate to severe limitations for many development criteria such as dwellings and septic absorption fields. The construction of such developments may lead to the pollution of ground and surface water if not properly installed and maintained.

Soils may have a profound influence on water fertility. Most soils in Mercer are acid and deficient in nutrients. As a result, many lakes are acid and infertile, particularly those that are landlocked (seepage). In general, water in the northern third of the county is classified as medium hard water and is soft water in the southern two-thirds.

Sanitary permits are issued by the Iron County Zoning Department. If some area on the site can pass a soil evaluation and the proposed development meets minimum criteria of Department of Industry, Labor, and Human Relations (DILHR) Administrative Code requirements, then a permit must be issued. The primary reason for the severe classification is that the predominately sandy soils allow very rapid percolation of contaminants into the groundwater, including effluent from septic systems.

Woodlands

The original or pre-settlement vegetative cover was a northern hardwoods association (hemlock, sugar maple, yellow birch and pine). Presently, Iron County is largely forested with 87% of the land area classed as commercial forest land. Two-thirds of the commercial forest acreage now consists of northern hardwoods and aspen.

Significant tracts of woodland or forest cover exist within the Town. The managed forest tax parcels of all assessment types occupies approximately 70% (75,160 Ac.) of the total Town area. Woodland cover plays a key role in the function and value of sensitive environmental areas like steep slopes, wetlands, and floodplains. Regulation of the removal of woodland vegetation is necessary to protect scenic beauty, control erosion, and reduce effluent and nutrient flows into surface water bodies/courses.

SECTION II
EXISTING CONDITIONS

Early Settlement

Prior to 1893, most of Iron County was considered a part of Ashland County. Therefore, its early history is linked with the development of that county. In 1893, parts of Ashland and Oneida Counties were combined to create Iron County. The name was derived from the iron ore deposits that were found in the Penokee Range.

Mining and lumbering were primarily responsible for early settlement. The need for agricultural commodities by those activities, particularly lumbering, stimulated agricultural development and settlement of the region.

The lumber industry boomed in 1870 as a result of the demand by the population centers in the upper Midwest for wood products. Development of the iron ore deposits began in the 1880's and fostered rapid development of the area. Hurley was founded in 1885 and iron ore shipments to the docks at Ashland began that same year. While the mining operations have ceased, the heritage of that era lives on and provides part of the basis for the county's tourism industry. Lumbering continues to flourish as a strong part of the county's economy with numerous logging operations and secondary wood products manufacturing facilities. The number of active farms has declined dramatically from the recorded highs with a number of the remaining agricultural operations shifting their emphasis to higher value crops such as cranberries.

Economy

Retail trade and manufacturing are the principal economic involvements, including 36% and 31% respectively, of the work force engaged in these activities. In addition, service industries employ 16% of the labor force. In the manufacturing field, lumber and wood products industries employ 58% of the people. About 6% of the work force is engaged in agriculture; however, it appears that half of this force relies on outside activities for additional income. A new wood products plant at Mercer will undoubtedly place manufacturing in the forefront as the principal employer in the county. Tourism is also important with most of the summer activities centered in the southeastern part of the county in the Towns of Mercer and Sherman where most of the lakes are found. This water resource is the base for the economy of this area.

Population

Population is a critical element in determining the development patterns of every community. Mercer's population and that of Iron County directly impact land use characteristics, the transportation system, and economic development. Examining Mercer's population will reveal its past, present, and future population trends and will assist in shaping the community's future development patterns. An overall analysis of Iron County's population is also important to reveal countywide changes that have taken place.

Historical Population

For over the past 70 years, Iron County's population has generally been on the decline. Its population peaked in 1920 at 10,261 persons as compared to a 1990 population of 6,153 persons. The change in population between 1920 and 1990 represents a loss of 4,108 persons or 40% of its population during the period.

Historically, Mercer's population has fluctuated from decade to decade but has shown an overall growth. Table 1 identifies this fluctuation. Overall, Mercer's population has increased 36% (1950 - 1990) from 974 persons in 1950 to 1,325 persons in 1990. This increase is unique in that it and the Town of Sherman are the only units of government within Iron County that have realized an increase in the number of persons from 1950 to 1990. One possible explanation for the increase in population in these two townships is the development of property along shorelands.

TABLE 1
HISTORIC POPULATION OF IRON COUNTY: 1950 - 1990

Place	1950	1960	1970	1980	1990
Anderson (T)	122	110	92	91	69
Carey (T)	273	221	194	179	175
Gurney (T)	161	129	135	153	143
Kimball (T)	607	514	468	499	513
Knight	518	417	324	294	265
Mercer (T)	974	1,048	1,003	1,425	1,325
Oma (T)	396	317	265	298	260
Pence (T)	371	314	234	191	181
Saxon (T)	655	483	371	362	335
Sherman (T)	164	153	152	336	267
Hurley (C)	3,034	2,763	2,418	2,015	1,782
Montreal (C)	1,439	1,361	877	887	838
COUNTY TOTALS	8,714	7,830	6,533	6,730	6,153

Source: Bureau of Census and Wisconsin Department of Administration - Demographics Services Center

Population Characteristics

Mercer's population percentage by age group is very similar to that of Iron County's. Table 2 compares the breakdown of age groups between Mercer and Iron County. Two age groups, 19-21 and 22-61 are of particular note.

Within Iron County, the age group of 19-21 is represented by 164 persons or 3% of its population, while in Mercer the same age group is represented by 11 persons or 1% of its population. It appears that upon graduating high school, individuals leave the community for college or work.

**TABLE 2
1990 POPULATION BY AGE GROUPS**

	1-5	%	6-18	%	19-21	%	22-61	%	62 & over	%	Total
Iron County	378	6	1008	16	164	3	2851	46	1752	29	6153
Mercer	80	6	183	14	11	1	667	50	384	29	1325

Source: Bureau of Census 9/91

The rural character of Mercer and that of Iron County can be described as relatively sparse. With a land area of 168.1 square miles, Mercer's persons per square mile is only 7.9 (1990). Table 3 identifies past and future persons per square mile.

**TABLE 3
PERSONS PER SQUARE MILE**

	1970	1980	1990	2000 (projected)	2010 (projected)
Iron County	8.6	8.9	8.1	8.5	8.4
Mercer	6.0	8.4	7.9	8.4	8.6

Source: NWRPC Calculations

Population Projections

Population projections provide a glimpse into the future needs of local municipalities. The Wisconsin Department of Administration has projected population figures for Iron County and its local units of government out to the year 2015 (Table 4). Utilizing 1990 census figures as a base year, Iron County is projected to have a 5% gain in population (304 persons) through the year 2000 and then decline 2.5% (164 persons) of its population by 2015. Overall, from 1990 - 2015, Iron County will experience a 2% increase in population or a total of 139 persons.

**TABLE 4
PROJECTED POPULATION OF IRON COUNTY: 1995 - 2015**

MUNICIPALITY	1990 Census	1995	2000	2005	2010	2015	1990 - 2015	
							Percent Change	Number Change
Anderson (T)	69	63	59	55	51	46	-33%	-23
Carey (T)	175	174	170	164	159	151	-14%	-29
Gurney (T)	143	156	162	167	170	173	21%	30
Kimball (T)	513	524	527	524	519	508	-1%	-5
Knight (T)	265	263	255	245	235	221	-17%	-44
Mercer (T)	1,325	1,385	1,422	1,444	1,452	1,451	10%	126
Oma (T)	260	267	268	266	263	257	-1%	-3
Pence (T)	181	185	183	179	174	168	-7%	-13
Saxon (T)	335	371	388	401	409	416	24%	81
Sherman (T)	267	304	326	346	359	372	39%	105
Hurley (C)	1,782	1,832	1,810	1,768	1,726	1,660	-7%	-122
Montreal (C)	838	875	885	886	882	870	4%	32
IRON COUNTY	6,153	6,400	6,457	6,445	6,399	6,292	2%	139

Source: Wisconsin Department of Administration, Demographics Services Center

Mercer is one of only five local units of government that are projected to see a population increase from 1990 - 2015 (Table 4). Population projections for Mercer indicate a 10% (126 persons) increase from 1990 - 2015. The remaining four units of government expected to see an increase in population between 1990 - 2015 include Gurney, 21% or 30 persons; Saxon, 24% or 81 persons; Sherman, 39% or 105 persons; and Montreal, 4% or 32 persons.

Seasonal Population

Seasonal population increases can have significant influences on services provided by local units of government and businesses. Mercer is greatly influenced by these seasonal population fluctuations due to its high level of seasonal housing units. Seasonal housing units in Mercer represent a greater proportion of the total housing units than that of occupied housing units.

Total population levels of permanent and seasonal residents could have significant impacts on the community (Table 5). At any given time, total population could well exceed that of the permanent population. This consideration is critically important when designing and developing public infrastructure improvements. If seasonal populations levels are not considered, improvements could be significantly undersized and inefficient rather quickly.

Projected seasonal population levels to the year 2010 are based upon the following assumptions: projected seasonal housing units, projected persons per occupied housing unit, projected population, and projected total housing units.

**TABLE 5
PROJECTED DAILY POPULATION IMPACTS
1980 - 2010**

Town of Mercer	1980	1990	1995	2000	2010
Seasonal Population	1,969	1,951	2,178	2,314	2,602
Permanent Population	1,425	1,325	1,385	1,422	1,452
Total Population	3,394	3,276	3,563	3,736	4,054

Source: Bureau of Census and NWRPC Calculations

Summary

Population levels in the Town of Mercer will continue to be influenced by seasonal influxes of summer and winter visitors. An increase in the number of seasonal housing units and continued lake shore and back lot development will add to population gains throughout the year.

Although permanent population levels have varied each decennial year, population projects to the year 2015 indicate a continued increase in permanent population. This increase, in part, could be attributed to seasonal population retiring to the Mercer area on a permanent basis.

The natural resources of the Mercer area, particularly water resources, will continue to impact both seasonal and permanent population levels in Mercer and Iron County. Continued population gains concentrated along water resources will have more negative impact than if population was scattered throughout the township.

Housing

The character of a community is often described by the quality of the existing housing stock or by the natural surroundings around which homes are developed. Mercer is unique in that it is set in the great northwoods of northwestern Wisconsin and has access to the Turtle Flambeau Flowage which provides the unique setting for residential development. Like other communities in northwest Wisconsin, Mercer has also seen the impacts from rapid seasonal growth in home owners and tourists.

Housing Units

It has been noted that Iron County's population has decreased over the years, except for a small spike from 1970 - 1980. In fact, from 1980 to 1990, the county experienced a decrease

of 577 persons or 8.6%. During the same period, new housing units increased by 142 or 2.8% (Table 6). This decrease in population and increase in housing units may be attributed to an increase in the development of seasonal homes throughout the county.

Mercer has also experienced the same trend as Iron County in the development of new housing units vs. a loss of population. From 1980 to 1990, Mercer experienced an increase of 148 new housing units or a 9.4% increase, while its population decreased 100 persons or 7% during the same period.

In 1990, the housing stock within Mercer represented 32.6% of the entire county's housing stock. Between 1980 and 1990, seasonal housing units increased 10.9% (86 units) from 789 seasonal homes in 1980 to 875 seasonal homes in 1990. At the county level, seasonal housing increased 37.8% (534 units) during the same period. In Mercer, seasonal housing units represent 45% of the total housing stock.

Both Iron County and Mercer's persons per occupancy unit has followed the national average of a declining persons per unit. Iron County's persons per occupancy unit declined from 2.53 in 1980 to 2.36 in 1990, a 6.7% decrease. Mercer's persons per occupancy unit also declined from 2.49 in 1980 to 2.21 in 1990, a 11.2% decrease.

**TABLE 6
IRON COUNTY HOUSING UNITS**

	1980	1990	Number Change	Percent Change
Anderson	94	70	-24	-25.5
Carey	145	140	-5	-3.4
Gurney	66	63	-3	-4.5
Hurley	1,049	1,001	-48	-4.6
Kimball	224	228	+4	+1.8
Knight	221	208	-13	-5.9
Mercer	1,565	1,705	+140	+8.9
Montreal	456	470	+14	+3.0
Oma	460	509	+49	+10.7
Pence	123	94	-29	-23.6
Saxon	184	214	+30	+16.3
Sherman	514	541	+27	+5.3
Iron County Totals	5,098	5,243	+142	+2.8

Source: Census Bureau 1980 & 1990

Between 1980 and 1990, seasonal housing units in the Town of Mercer increased almost 11% or by 84 units. Town of Mercer seasonal housing units are projected to increase to the year 2010. By that year, seasonal housing is projected to total 1,167 units.

Housing density per square mile within Iron County and Mercer is scattered, with the exception of clustered development along lake shore property. It is worth noting that total housing density, occupied housing density, and seasonal housing density are higher in Mercer than in the county (Table 7).

According to the 1990 Census, a total of 1,705 housing units were present within the Town of Mercer. Housing development from 1970 - 1990 in the Town of Mercer increased by 788 units and represents 47% of the total housing stock (Table 6). It is important to note that while Mercer lost 100 persons from 1980 - 1990, housing units increased by 299 or 18%. This housing unit increase is due in part to the increase in seasonal residents purchasing/constructing homes and the continued development of lake shore property.

Housing Characteristics

Housing characteristics such as running water and sewage disposal are important features to almost every home. Of the 1,705 homes within Mercer, 341 units have access to a public sewer system, 1,314 utilize their own septic tank or cesspool, and 50 units dispose of their sewage by some other means. Thirty-six units lack complete plumbing facilities.

The source for water varies in the 1,705 homes. A total of 349 homes utilize a public system or private company, 1,124 homes utilize an individual drilled well, 222 homes utilize an individual dug well, and 10 homes have some other source of water. Fifty-four units lack complete kitchen facilities.

**TABLE 7
HOUSING DENSITY PER SQUARE MILE**

		Total Housing Density	Occupied Housing Density	Seasonal Housing Density
1970	Iron County	4.9	NA	NA
	Mercer	5.2	NA	NA
1980	Iron County	6.7	3.5	1.9
	Mercer	9.3	3.4	4.7
1990	Iron County	6.9	3.4	2.6
	Mercer	10.2	3.5	5.2
2000 Projected	Iron County	7.1	3.3	3.3
	Mercer	11.0	3.6	5.7
2010 Projected	Iron County	7.3	3.2	4.0
	Mercer	11.8	3.8	6.2

Source: NWRPC

Summary

The Town of Mercer led the county in the total number of new housing units added between 1980 and 1990. A total of 140 housing units were added within the Town of Mercer.

The construction of seasonal and permanent housing units will continue into the future. Development will continue to take place along area lakes and streams as long as there is available land and persons to buy/build the homes. Development of housing units in proximity to water resources should follow guidelines established to preserve water quality and forestry resources of the area. The development of a lakes classification system could assist in proper development practices and preserving the natural resources.

Transportation

The transportation systems of Mercer and Iron County are an important component of the areas economic vitality. The quality of the local streets and highways impact future development in Mercer as these roads carry local residents and tourist to their selected destination.

Inventory of the Local Transportation System

Mercer relies on its local roads to move people and goods from their homes and businesses. This transportation network is comprised of 149.44 miles of roads. These roads criss-cross the Town providing accessibility to homes, businesses, cabins, forest lands, and boat landings.

Mercer's transportation network provides differing levels of service in moving people and goods. These levels of service are referred to collectively as a functional classification. Functional classifications of roads generally include four categories: 1) major collector, 2) minor collector, 3) local road, and 4) low use road. Major and minor collectors carry more traffic than local and low use roads and provide a link between one community and another. Local roads provide residents with access to areas within and surrounding their community while low use roads are seldom used but for access to a hunting cabin or farm field.

Mercer's roads fall within four functional classification categories providing different levels of service to Mercer residents and visitors. Of the 149.44 miles of roads, 87.78 miles are categorized as major collectors, 28.94 miles are categorized as minor collectors, 17.76 miles are categorized as local roads, and 14.96 miles are categorized as low use roads.

The rural character of townships and the financial constraints placed upon local units of governments leads to the development of lower costs roadways. Most townships elect to maintain their roads as gravel roadways due to the relatively low cost of maintenance and less cost of rehabilitation and construction as compared to asphalt roads. However, Mercer has developed a significant roadway system built with bituminous asphalt. Within Mercer, there are three types of roadway construction - asphalt, gravel, and earth. Milage for asphalt and gravel follows: 57.77 miles of asphalt roads and 91.67 miles of gravel roads.

Alternative modes of transportation other than vehicular travel are limited in Mercer and within Iron County. Within Iron County, there is no airport or intercity bus service. The closest air service is located in Ironwood, Michigan. Freight rail service is available in northern Iron County along the White Pine Subdivision between Marengo, Wisconsin and White Pine, Michigan. A rail line between Mellen, Wisconsin and Bessemer, Michigan (Bessemer Subdivision) has been disassembled. This abandoned rail grade is being sought for recreational purposes by the State of Wisconsin and Iron County.

Traffic Volumes

The Wisconsin Department of Transportation conducts traffic counts on a three-year rotation throughout the communities in Wisconsin. In addition to these traffic counts, the Department monitors automatic traffic recorder data stations. A permanent automatic traffic recorder data station is located approximately 1.5 miles northwest of County Trunk Highway FF, northwest of Mercer along USH 51. Installed in 1964, this data station has been collecting daily traffic counts. The annual average daily traffic along USH 51 has remained relatively constant (See Figure 2, page 21).

The average weekly traffic data for USH 51 increased only slightly from 1994 to 1996. This increase of 2.6% is relatively small during the three year period. Table 8 identifies the weekly traffic data for 1994 - 1996. Over the three year period, Friday had the highest daily traffic counts with Sunday and Thursday having the next highest traffic counts. The influx of seasonal/weekend visitors to Mercer and the surrounding area had a significant influence on the average daily traffic counts from Thursday to Sunday.

**TABLE 8
WEEKLY TRAFFIC DATA**

	1994 Average Per Day	1995 Average Per Day	1996 Average Per Day
Sunday	2143	2184	2151
Monday	1978	2080	2038
Tuesday	1948	1996	2029
Wednesday	1968	2068	2080
Thursday	2115	2159	2135
Friday	2580	2658	2618
Saturday	2020	2104	2104
Average Day	2107	2179	2165

Source: WisDOT 1996 Automatic Traffic Recorder Data, March 1997

The increase in traffic from 1970 to 1996, represented in Figure 2, can be attributed to at least two measures. The first is an increase in auto and truck traffic in Wisconsin and at the national level and secondly, from 1990 to 1995, vehicle registrations have increased 19.4% in Iron County. In the Town of Mercer, vehicle registrations increased 25.7% between 1990 - 1995 (Table 9).

TABLE 9
VEHICLE REGISTRATIONS - MERCER AND IRON COUNTY TOTALS

	1990	1991	1992	1993	1994	1995
Mercer	1417	1513	1562	1604	1670	1782
Iron County	5721	5988	6210	6379	6577	6832

Source: WisDOT, Registration Record Sales

Future Roadway Improvements

Maintaining the existing transportation system is a critical element in preserving the county and local transportation network. Iron County has established a maintenance schedule for the county trunk highway system that will preserve the system over time. Mercer has done the same in the development of a capital improvements program. This commitment in maintaining the local roadways will preserve the local transportation system for the years to come.

Summary

The Town of Mercer is heavily dependent upon the roadway network for the movement of residents and visitors. Data collected at the Wisconsin Department of Transportation traffic recording station northwest of CTH FF identifies the trend of more daily traffic trips. This trend will continue into the future as long as gasoline prices are relatively inexpensive. Due to the unavailability of other transportation modes having access to Mercer, quality roadways are very important.

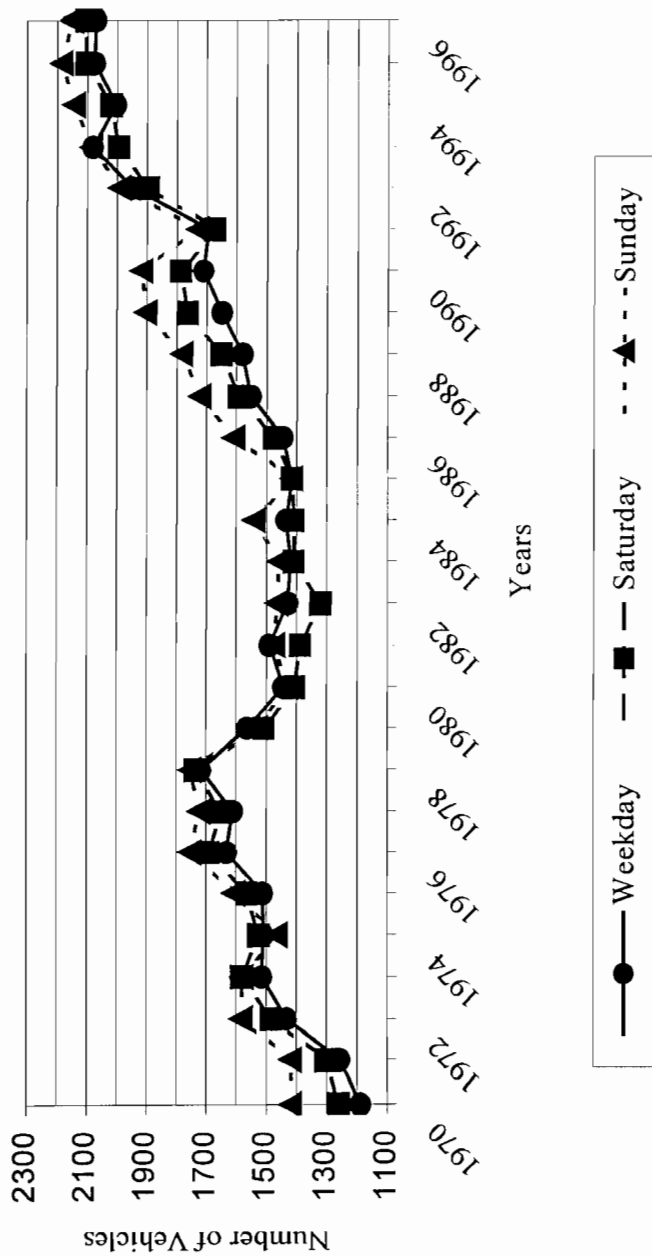
Clearly, the tourism industry has impacted the number of vehicles traveling area roadways. Winter activities such as snowmobiling and skiing have contributed to the increased levels of traffic.

Development of private roads built to standards established by the Town of Mercer will ensure a uniformity in roadway design when the Town is asked to take the roads over. The development and adoption of a roadway management plan for all roads within the Town of Mercer would identify characteristics of each roadway and assist in making short- and long-term recommendations for roadway improvements. This process would assist in better maximizing the fiscal resources needed to make roadway improvements.

Figure 2

Annual Average Daily Traffic Graph

Northwest of County Highway FF on U.S. Highway 51



SECTION III
LAND USE PLANNING

Introduction

The natural resources found in any given area certainly guide and shape land development and land use activity; some positively, some not so. Likewise, built land use patterns, the roadway system, the extent of public services and facilities, land ownership patterns, governmental jurisdictional boundaries, and local government codes and ordinances, also guide and shape new development.

Physical (Land Use) Development

Land use planning is concerned primarily with the accommodation of land development, that is the existing or potential use of land. Land use studies are designed to provide basic information on land characteristics and the various activities that occupy land in some given area, usually a community, a neighborhood, or a highway corridor. This information is used to analyze the current pattern of existing land use and serves as the framework for future land use. The land use plan sets forth the proposed pattern of the physical environment for the activities of people and organizations within a planning area. Land use planning depends upon population and economic projections, and an understanding of their interrelationship with land use for living, livelihood, and leisure.

Related to land use studies are transportation/traffic studies, which provide data on the movement of people and goods. For purposes of land use planning, an understanding of the nature and characteristics of travel is desirable. The design of the system must be based not only on the characteristics and functions of the conductor but also on the properties of that which passes through the conductor/system. Subsequently, the development characteristics of property abutting roadways is an integral part of an effective land use plan. Improvements to the roadway and driveway system alone can do little to improve the orderly and safe movement of traffic when adjacent land uses have poorly located access or when such land uses generate large increases in traffic volumes without regard to the traffic characteristics of area roadways.

The interrelationships of land use and the highway system make it necessary for the physical development of each to be balanced with the other. Types and intensities of land uses have a direct relationship to the traffic on roadways which serve those land uses. Intensely developed land often generates high volumes of traffic.

For example, conversion of farm or other rural land to residential or urban uses is often accomplished by the division of the larger parcels. This increases the number of users and parcels and usually creates new points of access to the existing highway network since each new parcel normally receives an outlet. Each new outlet forms an intersection with the existing highway, potentially causing a decrease in highway utility.

Furthermore, the traffic generated and attracted by any new land use can increase the volume throughout the highway system and increase congestion on the surrounding roadways which may keep property from reaching its full potential value. Even without the creation of new

access points, changes in land use can alter the capacity of the roadway because more, and possibly different, kinds of vehicles may enter, leave, and add to the traffic flow.

Historic land use activity in the Town has been predominantly residential development scattered along town roads and much of the private lake frontage centered on a "central business district". Vacation lodging and resorts can be found on many of the lakes in the Town. Commercial development consists primarily of small community services with a strong emphasis towards the hospitality/recreation/tourism sector of the economy. Some industrial land use is present in the form of primary and secondary forest product manufacturing such as hardwood flooring and pallets. There is a very limited amount of traditional farming activity within the Town. However, there are several active cranberry bogs.

Existing Land Use

The existing land use in the Town of Mercer is a function of the large amount of public lands (60%), and industrial or commercial forest of 18% of the gross land area. The average parcel size in Iron County based on 11,000 parcels is 43 acres which is the largest average in the northwest 10-county region. (Figure 3)

A breakdown of the Town of Mercer land ownership classifications are as follows:

Gross Area	107,500 acres
Water (lakes, rivers)	11,000 acres
Net Land	96,500 acres
Public Ownership	
Iron County Forest	32,160 acres
State Forest	21,200 acres
Turtle-Flambeau (state)	4,500 acres
Other - town, state, school	4,000 acres
Total	62,000 acres
* Net land minus public lands	34,500 acres
Industrial/commercial forest	17,300 acres
* Net land minus industrial forest	17,200 acres

This leaves approximately 18% of the total net land dedicated to or available for development.

Figure 4 depicts the general existing land use with current zone districts, public lands and industrial forest designations. Of the remaining "for development" lands approximately 15% of are mapped WDNR wetlands.

Figure 3

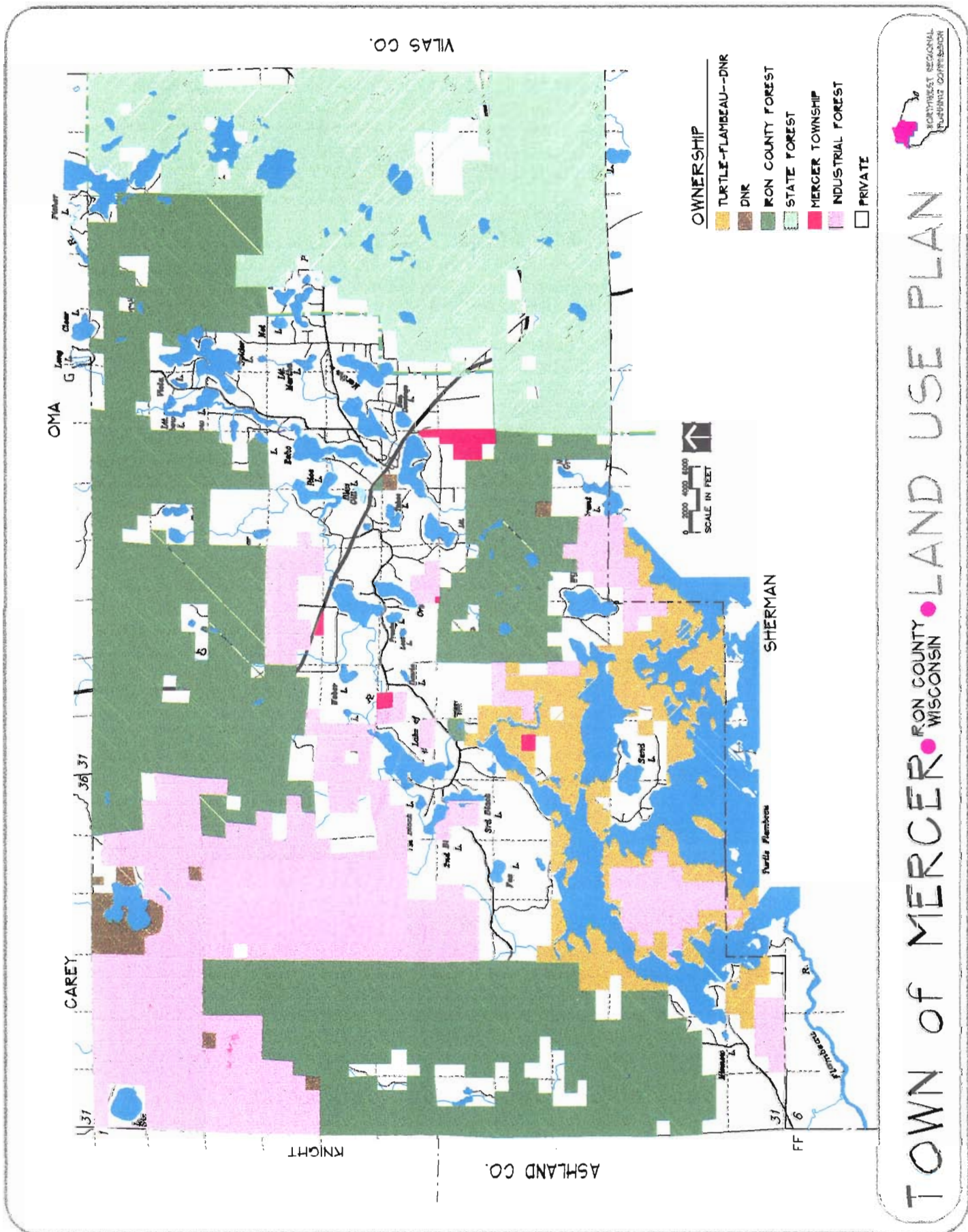
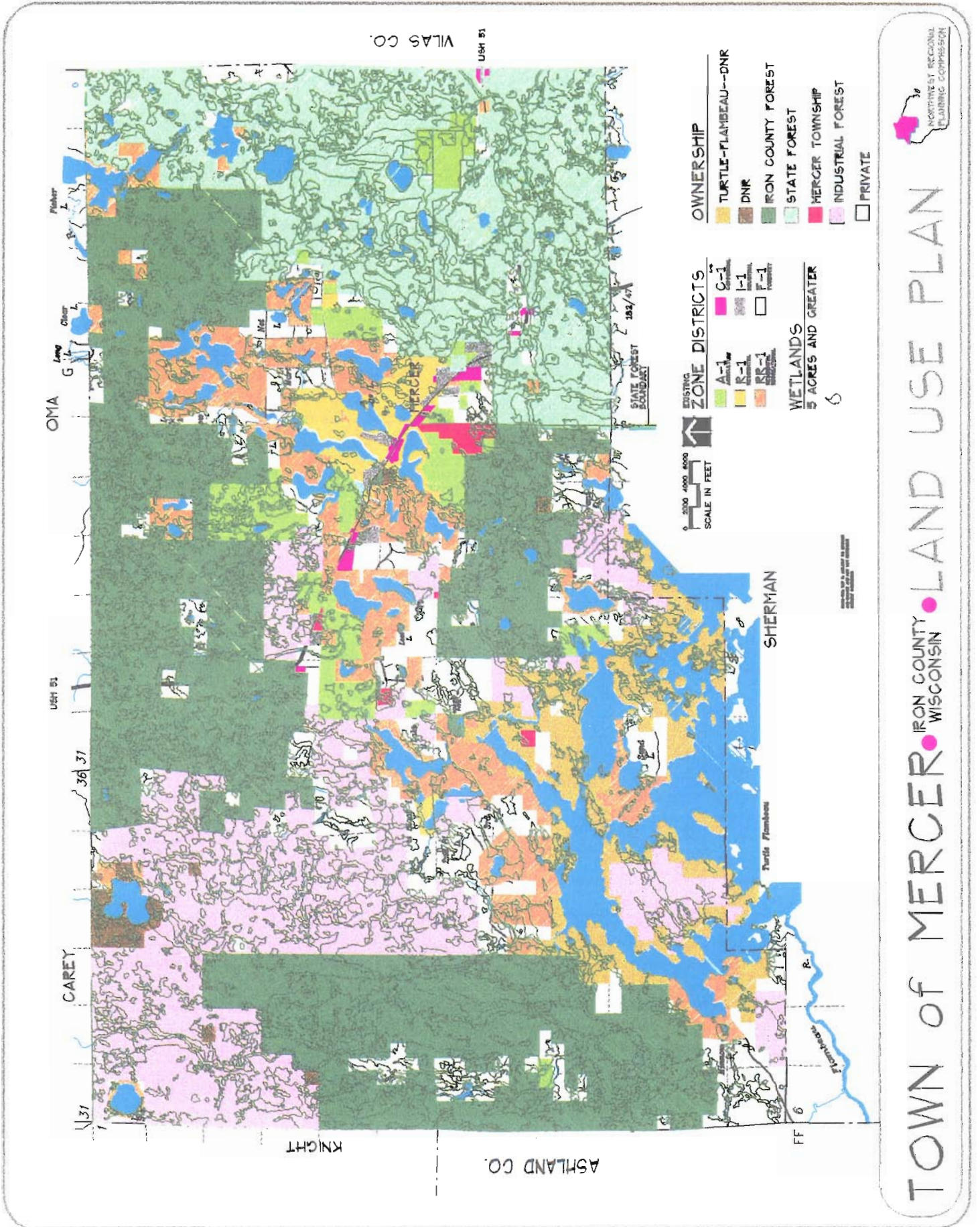


Figure 4



TOWN OF MERCER • IRON COUNTY WISCONSIN • LAND USE PLAN



The Town of Mercer has six existing zoning districts which are administered under comprehensive county zoning by the Iron County Zoning Department. (Figure 5)

The existing land use within the remaining 18%, or +17,300 acres, is summarized as follows:

F-1 (Forestry)	40%
R-1 & R-R-1 (Residential)	40%
A-1 Agricultural	14%
C-1 Commercial	3%
I-1 Industrial	3%

The major land use consumption by acreage is within the residential zone districts and is reflected in substantial lakeshore and second home development over the past several years. This development has occurred within the shorelands (1,000' of lakes and 300' of rivers) and has placed increased pressure on lakes and rivers.

Industrial development has generally occurred within the existing I-1 (industrial) zone districts which are primarily located along USH 51 in the built up area of Mercer and south in the industrial park.

Commercial development and use has until the past several years been limited to "downtown" Mercer. Highway strip commercial has begun to expand the core business district south along USH 51 towards Manitowish, creating an elongated business district. Future commercial land use will, if not regulated, follow the existing trend of strip highway development primarily south along USH 51 to the state forest boundary.

The A-1 (agricultural) includes area for cranberry production operations.

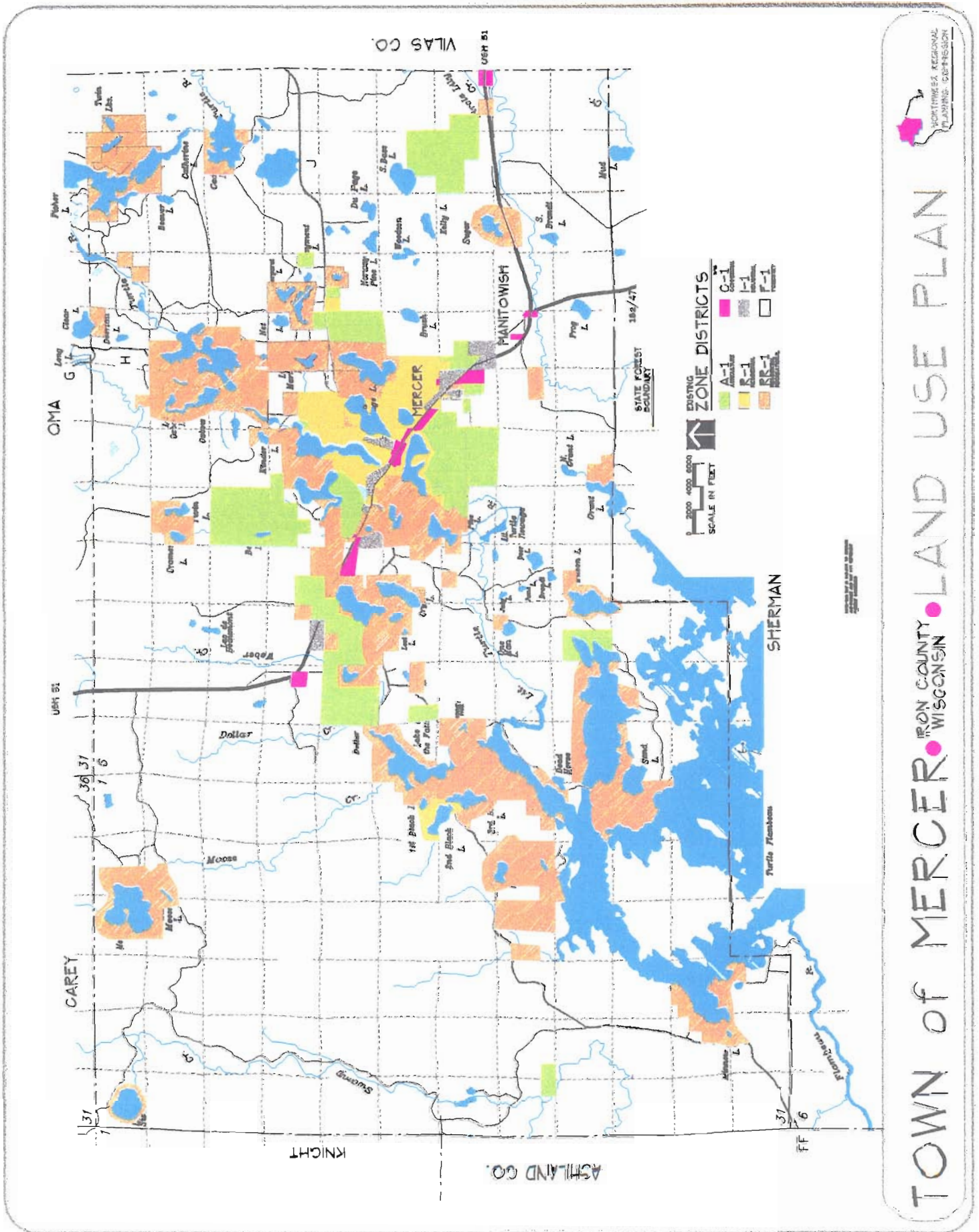
The private F-1 (forestry) lands adjacent to existing R-1 and R-R-1 zone districts will provide for expanded rural residential development outside the shorelands.

Future Land Use

With the large amount of public and private forest lands in the Town dedicated to forest production and management, future residential development will occur more than likely in and around the lake and river shorelands.

As the demand for seasonal homes and lake frontage continues to escalate land values, new development will continue to fill available lake lots and more condominium type developments may be proposed. Additionally, it is anticipated that tiered development, backlots with lake access via a single shoreland parcel, will continue to increase development pressure on and around lakes in the Town.

Figure 5



Land Division and Zoning Regulation

The 1996 Community Planning Survey results indicate that land use & enforcement of zoning and shorelands regulations are the leading areas in which the Town should do more planning. Zoning, subdivision, and "shoreland" ordinances are among those that should be "tightened" according to survey responses.

Under Wisconsin Statutes, counties and local units of government are authorized to adopt zoning ordinances. Zoning is a method for implementing or carrying out the land use plan by predetermining a logical pattern of land use development.

A zoning ordinance consists of a map and a written text. The zoning map arranges the community into districts or zones: conservancy, agriculture, residential, commercial, industrial, etc. Within each of these districts, the text of the zoning ordinance specifies the permitted land uses, the bulk of buildings, the required yard/lot dimensions, and other prerequisites to obtaining permission to develop. The goal of the zoning ordinance is to secure a reasonable development pattern by keeping similar and related uses together and separating dissimilar, unrelated, and incompatible uses; particularly in relationship to transportation facilities, utilities, and public services and facilities.

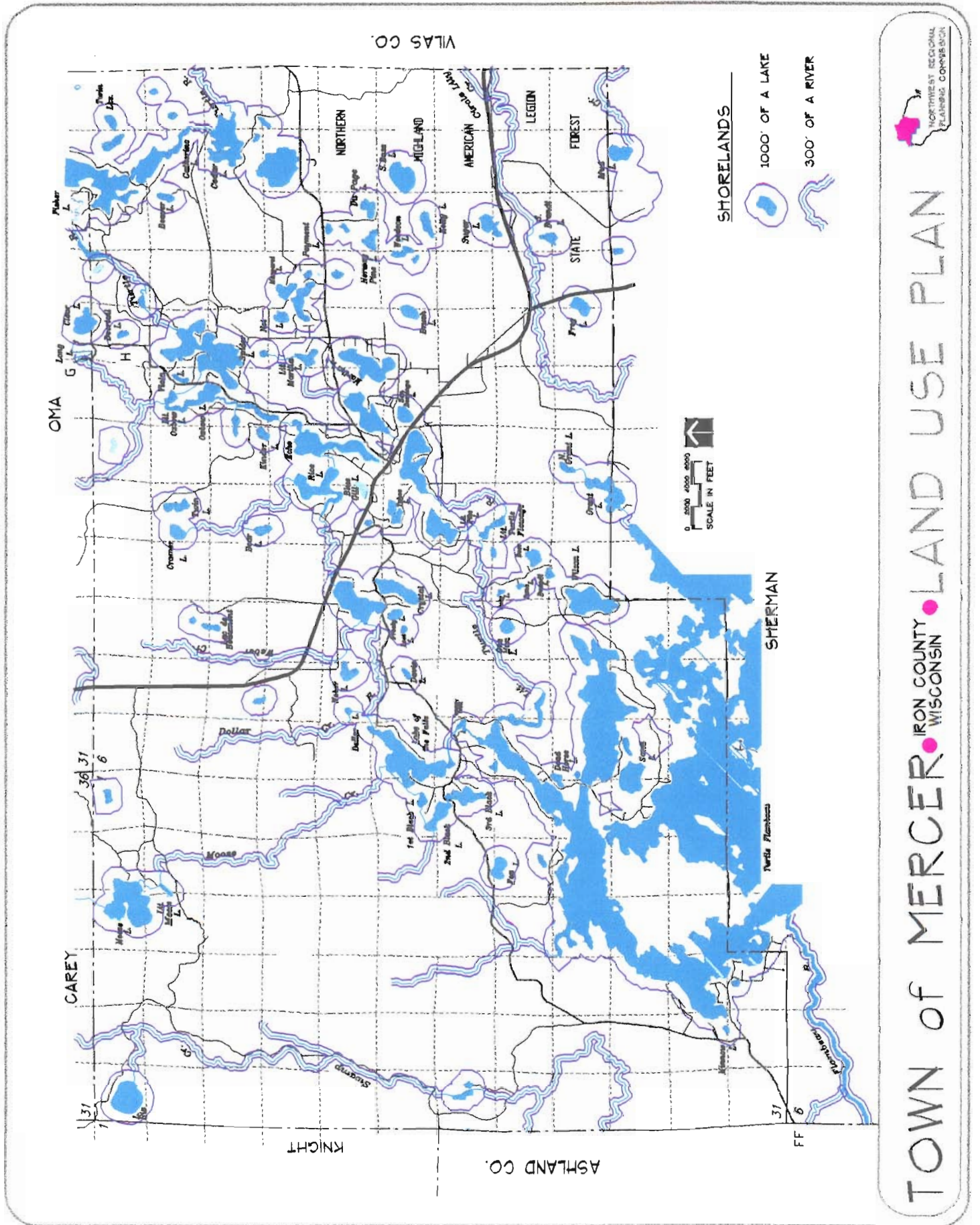
A county may promulgate a zoning ordinance as described above for the unincorporated areas of the county, that is, outside the corporate boundaries of cities and villages; but it is only effective if a town adopts it for application to its jurisdiction, which the Town of Mercer has done. In the absence of a county zoning ordinance, towns can adopt their own zoning ordinances; but if there is a county ordinance in place and a town wants to adopt zoning, it must adopt the county ordinance or have the county approve a separate ordinance for that town. Any ordinance, ordinance revision, or amendment to a "town" zoning ordinance under these conditions must first be approved by the county before it becomes effective.

Counties are mandated, however, to promulgate and adopt a zoning ordinance that regulates land use in shoreland/wetland and floodplain areas for the entire area of the county outside of villages and cities. This ordinance supersedes any town ordinance unless a separate town ordinance is more restrictive. The shoreland/wetland and floodplain area is that area that lies within 1,000 feet of a lake, within 300 feet of a navigable stream, or to the landward side of a floodplain whichever distance is greater. (Figure 6)

Uncontrolled division of land tends to affect highways by intensifying the use of abutting lands which impairs safety and impedes traffic movements. Wisconsin was one of the first states to recognize this relation between highway operations and the use of abutting lands. Under Chapter 236, the Wisconsin Department of Transportation (WisDOT) was given the authority to establish rules to review subdivision plats abutting or adjoining state trunk highways or connecting highways.

Regulations enacted by the WisDOT establish the principles of subdivision review. They require new subdivisions to: (1) have internal street systems; (2) limit direct vehicular access to the highways from individual lots; (3) establish building setbacks; and (4) establish access patterns for remaining unplatted land.

Figure 6



TOWN OF MERCER, IRON COUNTY, WISCONSIN • LAND USE PLAN



SECTION IV

MERCER ISSUES/SURVEY AND GOALS

Introduction

Early in the planning process a number of public input sessions were held by the Town to identify on a preliminary basis some of the major issues the public thought important. Out of those public sessions, a number of concerns were brought forth for consideration. Those considerations then served as the basis for early goal formulation and the development of a comprehensive survey of all town property owners and registered voters.

Land Use

- Need to keep industry within one block of USH 51
- Need for signage rules for downtown (commercial)
- Subdivisions should be built within two miles of downtown
- Need to control location of multi-family home development with lake lots on the water
- Need to control the location of different types of development (buildings, business types)
- Need to develop an area for motor homes, multi-family homes - not mixed with single family homes or motor homes
- Need for minimum size of off water lots
- Need for controls on construction of new & existing "shack" (trailers, hunting shacks)
- Need for ordinances that address non-conforming structures
- Need to explore housing for single persons that fits in with community aesthetics
- Need to prohibit mobile homes from lake lots
- Restrict number of mobile home parks
- Need to control size of river lots - they need to be at least 200 ft. width with greater setbacks
- Need to prohibit boathouses from being built closer than 50 ft. to water
- Need for pier ordinances, "dockominium" ordinances
- Need to use cluster development to preserve off water forest lands
- Need for all future development to maintain "northwoods" character (ie., low density development, woodlands)
- Need for greater setbacks from buildings to lake
- Need to prohibit development on islands

Housing

- Need to control the amount of low cost federal housing
- Need for more consistent value construction within subdivisions, housing developments

Economic Development

- Need to attract small, light industry/environmentally safe industry
- Need for Town to provide industrial development incentives

Resource Protection

- Need to prohibit lake lot "pyramiding" or "key holing"
- Need to protect wildlife habitat & aquatic species

Transportation

- Need for roads to be made to Town spec's (new & improved)
- Need to require developers to blacktop new roads within subdivisions
- Need for small bridges instead of culverts

Community Facilities

- Need for an industrial park
- Town needs a capital improvement plan to provide the infrastructure and services that accompany growth

Inter Governmental

- Lack of knowledge of the Wisconsin DOT's plans for USH 51
- Lack of knowledge of Mercer's current zoning and need for changes
- Lack of plan for future commercial development, lack of space

Environmental Quality

- Need for lake classification to protect from overdevelopment
- Need for visual/aesthetics plan to maintain the visual quality of the Town (ie., screening)
- Need for ordinances for the use of different size & types of watercraft (problems with shoreline erosion)
- Need to regulate jet skis, boating, water skiing (issues of speed, wake, etc.)
- Need for septic system inspection every three years
- Need to prohibit development in weed beds, fish spawning areas, swamp areas
- Need to preserve natural shorelines on lakes & streams
- Lack of controls over amount of riparian vegetation removal
- Need to consider a lake's ecology when considering development

Open Space/Recreation

- Need to preserve land for parks & open spaces
- Need to maintain existing boat landings that are on lakes

Survey Methodology

The Mercer's Future Survey was the primary tool used to assess the attitudes and preferences of Mercer residents on a series of land use and development issues facing the community. The Land Use Task Force reviewed land use planning surveys from other communities and participated in a nominal group meeting that resulted in 44 land use issues being identified of concern to the Town. These issues formed the majority of the survey questions. The remainder of the questions asked demographic information to learn more about the same population who responded to the survey.

Two different groups of Town residents were mailed the Mercer's Future Survey: residents who permanently reside in the Town of Mercer and have Mercer zip codes (referred to in this survey as "Mercerites") and seasonal residents who own property in the Town but whose home zip code is outside the Town boundaries (referred to as "non-local property owners" or "non-Mercerites"). Surveys were color-coded for each respondent group. Every effort was made to include permanent Town residents who were not property owners such as renters and residents in group homes. Articles in local newspapers and word-of-mouth promotion by Task Force members increased awareness of the survey to residents who may not have received one in the mail. A total of 1,950 surveys were mailed to these respondent groups in June of 1996. Surveys were also made available at the Mercer Town Hall for permanent or seasonal property owners who had not received one in the mail.

Post cards were mailed to all households on the original mailing list, asking those who had not responded to fill out and return the survey form or to request another if they no longer had one. Survey forms were mailed out to each household that requested a replacement survey form.

A total of 913 surveys were returned, for an overall response rate of 46.8% (46.1% for Mercerites and 47.3% for non-local property owners). This unusually high return rate indicates a strong level of interest in land use issues facing Mercer.

To "ground truth" the survey results, the "Mercer Visioning Meeting" was conducted by Iron County UW-Extension Agent Cathy Techtmann and Task Force members at the Mercer School on September 30, 1996. Forty-one Mercerites and two non-local property owners attended the three hour program.

To assess their "vision" for Mercer, meeting participants were divided according to their interest in the three broad issues that arose from Mercer's Future Survey question #48 which asked: **"How would you ideally picture Mercer in the next 10 years, please give us your vision".**

These issues were:

- Maintain the Community's Northwoods Character
- Concerns about Economic Development
- Community Infrastructure Concerns (zoning, roads, taxes, etc.)

Participants in these issue groups first used a modified nominal group approach to identify what they valued about the Town of Mercer. These values were shared in the large group session. Each group then developed goal statements on how the community could address their particular issue, based on what the group valued about the community. The results of the "Mercer Visioning Meeting" were used to validate survey results and provide specific recommendations on future land use planning. All data tables used in this report can be found in the statistical appendix in a separate volume.

Executive Summary

- Almost nine in ten of those surveyed support the Town developing a plan for future land use, and most respondents (88.7%) strongly favored Mercer developing its own zoning ordinances to encourage future downtown and town development to maintain a "northwoods" character. Ninety-three percent of those surveyed felt that enforcement for town zoning and minimum building standards should be financed fees from building permits.
- Respondents were divided on the issue of maintaining the current county zoning policies (33% in favor) versus options where the Town would enact more restrictive regulations, in addition to the county's (45% in favor).
- The majority of respondents favored continuing the county's current policies on waterfront lot size and setback zoning standards for any new lake or river front development. More than 75% of all respondents favored the Town adopting some design standards for mobile and manufactured homes on waterfront property. There was also overwhelming support (81% in favor) for the Town restricting condo units, duplexes, and apartments on waterfront property and encouraging single-family home development (88% in favor) within the community.
- Four major planning issues facing the Town of Mercer emerged from the survey and a community "visioning" meeting: maintaining Mercer's "northwoods" character, road development and conditions, the need for more or less economic development, and local government infrastructure. Focus groups were used to further explore these specific issues.
- Slightly over half of all respondents favored community beautification efforts (such as banners, entrance, and directional signs), with a somewhat stronger degree of support coming from year-round Mercer residents.
- A two-thirds majority felt more stringent controls over the development of roads is called for. An overwhelming majority (91%) said that developers should pay for road development in the subdivisions they create.
- Respondents were almost equally divided on whether the Town should enact more restrictive regulations on boathouse construction on all lakes or those sensitive to development versus following the County's current policy.
- Two-thirds of all respondents favored retaining the current County zoning shoreline vegetation cutting policy; 79% of all respondents strongly supported the Town limiting development in critical wildlife or natural habitats.
- The development of town policies restricting different sizes and types of motorized watercraft were favored by 75% of respondents.
- Respondents strongly agreed that the Town should restrict the number of mobile home parks that can be constructed. Over half of respondents also felt the Town should adopt a policy controlling the construction or expansion of "temporary" dwellings.

- Almost two-thirds of all respondent groups favored maintaining the current county zoning size regulations for off-water lots, and less than half of all respondents stated that the Town should have more stringent standards for new building development.
- Regarding commercial development, the majority (54%) support the concept of clustered commercial development along the USH 51 corridor as opposed to "strip development". There is very strong support for development of aesthetic ordinances for commercial and industrial development and for restrictions on business advertising signs.
- The overwhelming majority of those surveyed felt that any enforcement funds for town zoning and building standards should come from building permits fees.
- Local residents strongly felt (70% in favor) that the Town should be involved in attracting industry and most favored industrial development, whereas non-local property owners supported Town involvement less strongly (57% in favor) and only one-third favored industrial development.
- Ten percent of those surveyed said they intend to sell their primary Mercer residence within the next five years, amounting to 982 acres of waterfront property and 219 acres of non-waterfront property.
- Sixty percent of those surveyed described themselves as not being permanent residents of Mercer, while four in ten respondents were year-round Mercer residents. Over half of the year round residents described themselves as retired, while fewer than three in ten non-local property owners were retired. Fifty-eight percent of those who were seasonal residents plan on someday permanently relocating to Mercer.
- For the majority of survey questions, there was a close consensus between the responses of permanent Mercer residents and those who were non-local property owners.
- Of the 1950 surveys that were first class mailed to Mercer property owners and registered voters and non-Mercer property owners, 950 were returned for a response rate of 46.8%.

Goal and Policy Development

The preceding sections have, through public consensus, identified citizen and local official concerns related to land use planning issues in the Town. This section sets forth those goal and policy statements necessary to effect the desired change. The following sections will describe in detail those policy considerations that are to be undertaken at this time. Because this is a dynamic process, it will be possible to make additions to this plan whenever necessary to meet new or expanding issues.

Planning Assumptions

1. There will be an increasing demand for housing of all types in the Town.

2. The existing growth rate will continue.
3. Development pressure on shorelands will continue to increase.
4. There will be an increase in the demand for additional or improved public services and facilities.
5. New business locations can be "infilled" into the existing central business district or "clustered" off roadways instead of "strip" along roadways.
6. The Town can assist desirable new development locate without additional tax dollars.
7. The Town's "northwoods character" will continue to be an important consideration of the economy and quality of life.
8. The Town and Iron County can continue a cooperative process for improving land use planning and growth management in the Town.
9. The Town will increase building and other permit fees to cover the cost of ordinance generation and enforcement as necessary.

Goals

Provide for orderly planned development that promotes a safe, healthy, and pleasant living environment and makes efficient use of land, public services, and public financial resources.

Guide land use in recognition of resource limitations and Town goals and objectives.

- A. The Town will maintain a current, long-range development plan, which will serve as a guide for future land use and zoning decision. New development will be permitted based on consideration of this plan as well as other applicable plans and ordinances.
- B. Emphasize wise land use choices rather than structural measures as a means of limiting disruption of the environment and reducing the cost of future maintenance and enforcement.
- C. Management of public lands should recognize adjacent land practices and should not interfere with continued use consistent with best management practices.
- D. Ensure that adjacent land uses are compatible with regard to such factors as smoke, noise, odor, population density, and appearance.

Provide the Town with a unified vision of planned growth.

- A. Actively participate in zoning, land division, and conditional use review decisions at the county level.
- B. Establish high standards for public safety, pollution control, and other standards of concern to the citizens of the Town.
- C. Promote a positive sense of community and community image.
- D. Promote cooperation in planning for development, facilities, and services with neighboring units of government.
- E. Assist the management of growth and development through programming and staging of public facilities and services.
- F. Help provide sufficient commercial and industrial lands adjacent to public facilities and transportation services that are cost effective and environmentally compatible.
- G. Encourage appropriate re-use and development of older buildings.
- H. Encourage the use of existing public facility systems for infill development before making substantial extensions.
- I. Encourage the centralization of commerce, entertainment, and employment to create a vigorous community center.

Conserve the county's distinctive rural, northwoods atmosphere.

- A. Landscape and land use buffers will be used to lessen the impacts of conflicting land uses in close proximity.
- B. Maximize the quality of life by providing regional open space, trails, parks, and recreational opportunities and facilities managed in such a fashion as to afford the maximum benefit to the community.
- C. Help identify, evaluate, and preserve historic, archaeological, and cultural resources.
- D. Coordinate archaeological inventories and management plans with Native American groups and other interested parties.
- E. Avoid visual pollution caused by poor design or management of buildings and structures.
- F. Establish design standards for entrance and downtown areas of the central business district.
- G. Require the establishment of green areas around industrial facilities and sites that will compliment the surrounding and adjacent areas.

H. Designate a concentrated area for the development of highway commercial clusters along USH 51 that are compatible and mutually beneficial to neighboring uses.

Guide development within defined service limits in an orderly fashion.

- A. The location of new development will be restricted from areas shown to be unsafe or unsuitable for development due to natural hazards, contamination, access, or incompatibility problems.
- B. Guide development to lands next to existing public facilities and services by using "infill" techniques instead of "sprawl" techniques.
- C. Promote growth patterns that result in compact, distinct, and separate communities rather than continuous linear strips of development.
- D. Encourage cluster development to assure conservation of land, efficient provision of public services, and accessibility.
- E. Help identify the full range of public facilities considered optimum for urban development such as water and sewer utilities, police and fire protection, health services, schools, parks, libraries, and solid waste collection and disposal services.
- F. Help promote the provision of new public facilities and services when sufficient need and revenue base to support them exists.

Protect, conserve, enhance, and maintain a high level of environmental quality of lands and waters in Mercer.

Promote public and private efforts to protect critical habitats for plant and animal life.

Protect and improve the quality and quantity of the county's groundwater and surface water.

- A. Provide leadership and technical support to property owners to improve water quality.
- B. Discourage land use practices that have a detrimental impact on the county's waters and wetlands.
- C. Provide maximum protection to wetlands in the county.
- D. Prevent the introduction of new contaminants into the county's ground and surface water systems while reducing and possibly eliminating existing sources of contamination.
- E. Prevent or limit development in very sensitive environmental areas such as water drainage and filtering areas, wetlands, and bedrock outcrops.

F. Discourage land use practices which are in conflict with the environment's limited capacity to buffer contamination.

Preserve the natural and scenic qualities of lakes and shorelines in the county.

- A. A lakes and rivers classification system should be developed which recognizes that different lakes within the Town have varying natural conditions affecting their environmental sensitivity or vulnerability to shoreland development. The lake classification system should take into account lake surface area, lake depth, lake type, length of shoreline, size of watershed, availability of wastewater treatment facilities, and existing degree of development.
- B. Balance the needs for environmental protection and responsible stewardship with reasonable use of private property and economic development.
- C. Lakes and rivers that are environmentally sensitive and in pristine or near pristine undeveloped condition should receive the highest level of protection.
- D. Future development and land divisions on lakes that are developed or partially developed should be carefully managed to prevent overcrowding that would diminish the value of the resource and existing shoreland property; minimize nutrient loading; protect water quality; preserve spawning grounds, fish and wildlife habitats, and natural shore cover.
- E. Develop ordinances for adoption either at the town or county level that reflect the concerns of this section.

SECTION V

LAND USE RECOMMENDATIONS

The future of maintaining a "northwoods character" for Mercer, providing for an in-town compact business district with room for expansion within existing southern district and protecting the lake and river systems from over-development are all components of a guide for Mercer's future land use.

Recommended Town of Mercer Actions

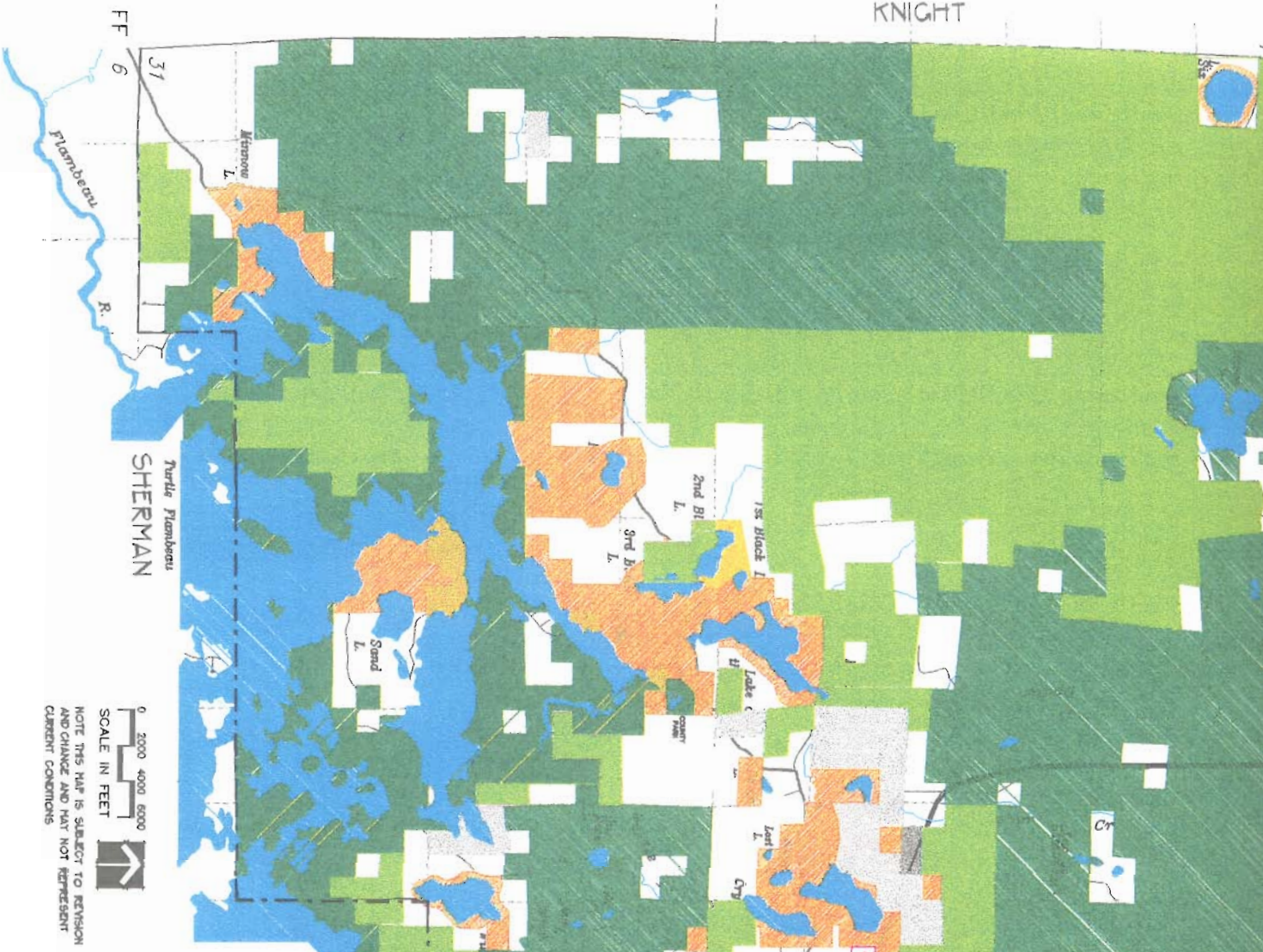
This document and the accompanying recommendations along with the Land Use Development Guide Map (Figure 7) is intended to assist local officials and Town residents in land development and management issues. Foremost, its purpose is to provide a framework for updating or modifying the county's zoning ordinance and the zoning district map, as well as the town's road ordinance which should be expanded to include a land subdivision ordinance.

This plan should be reviewed periodically (at least every five years) in order to maintain its usefulness as a "current" document. It is important to reiterate that this study/report/plan provides the Town Board with a statutory basis for town development policy(s). The following steps are suggested as how the Town should now begin to proceed in order to carry out this plan:

1. The Town of Mercer Board should endorse and adopt the preceding recommendations...referencing this study as the basis for that action, as a guide for the physical and land use development of the Town.
2. Since the Town has previously adopted Village powers, the Town Board should now establish a Planning Commission under WI Statue s.62.23 so that a vehicle and process exists to formally guide and regulate development.
3. The Town Board should petition Iron County to make the necessary changes in the county zoning ordinance. If these changes are not forthcoming, the Town could pursue local zoning powers.
4. The Town Board/Planning Commission should request a formal dialogue with the County (zoning office)... to be convened, organized, and directed by a jointly agreed upon "third party", for the purposes of reaching an agreement on zoning administration policy and practice within the Town of Mercer.
5. The Town Planning Commission should work to comprehensively develop and coordinate the recommended ordinances, policies, and programs within this plan.

General Guidelines

1. The Town will maintain and use the land use guide for future development and land use decisions.
2. The Town will actively participate in and review all land subdivisions and zoning changes and make recommendations to the county zoning committee.

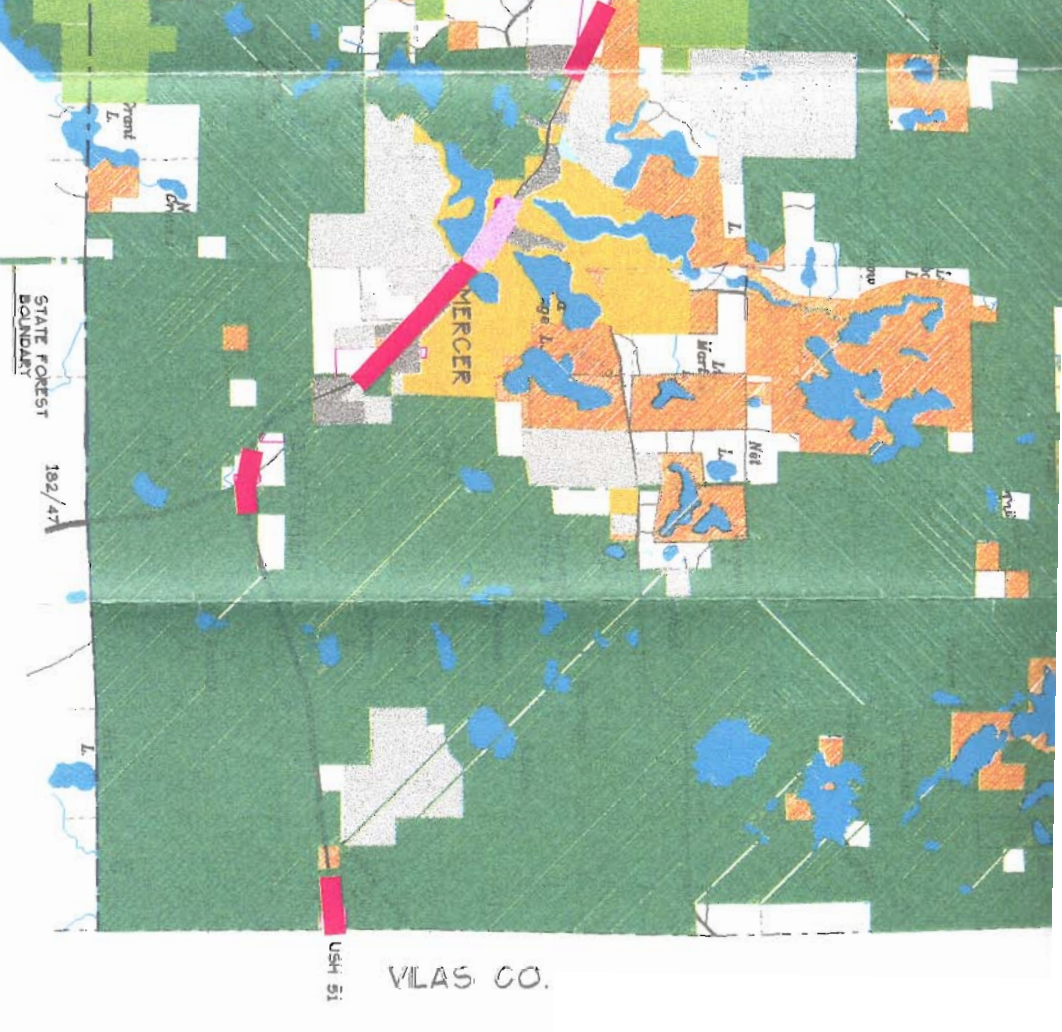


0 2000 4000 6000
SCALE IN FEET

NOTE THIS MAP IS SUBJECT TO REVISION AND CHANGE AND MAY NOT REPRESENT CURRENT CONDITIONS

LAND USE DEVELOPMENT GUIDE

- BUSINESS COMMERCIAL
- HIGHWAY COMMERCIAL
- SHORELANDS RESIDENTIAL
- COMMUNITY RESIDENTIAL
- AGRICULTURE
- INDUSTRIAL
- PUBLIC LANDS
- FORESTRY - COMMERCIAL
- FORESTRY



3. New development should be encouraged to comply with the land use guide and "northwoods character" recommendations.
4. New commercial development should be encouraged to build within the sanitary district service area.
5. New highway commercial development should comply to the proposed highway commercial cluster concept.
6. The Town should implement the lakes classification plan and shoreland development standards. Either countywide or on a town overlay district.
7. Industrial development should be confined to industrial park area south on USH 51.
8. The Town should consider adopting and implementing the northwoods design standards ordinance as recommended by the Mercer Northwoods Design Team.

Proposed Land Use Management Criteria

1. Conservancy and Unique Areas

- a) Maintain and promote protection of wetlands, floodways, and unique natural areas such as the Turtle Flambeau Scenic Waters Area.
- b) All existing mapped wetlands should be W-1 (Resource Conservation) district on the official zoning map.

2. Forest Areas (F-1)

Existing private forest lands including properties enrolled in the forest crop law should be encouraged to be maintained for multiple use forest management practices. The Town should encourage through larger minimum lot sizes in the F-1. The F-1 district should be increased to a 20 acre minimum parcel size to accommodate large lot forest residential parcels.

3. Shoreland Residential (R-1 & R-R-1)

- a) Development standards have been adopted along with the lakes classification plan for the Town. This plan and accompanying shoreland ordinance amendments should be implemented as part of a countywide plan or as an overlay district for the Town.
- b) Future ordinance amendments to the county ordinance for shorelands should be reviewed and consider the following changes:

- 1) setback averaging
- 2) boathouse construction
- 3) shore zone buffer restoration plan
- 4) dock and stairs design guidelines

4. Highway Commercial (C-2)

The area south along USH 51 from Mercer Lake to the State Forest boundary is becoming a strip highway commercial zone of development.

This area would lend itself to a "clustered" commercial district with commercial cluster set off the highway with highway access and separation by natural plantings and district northwoods landscaping. This would require a new zone district - C-2 with accompanying property development standards.

Property and site design standards have been developed by the Northwoods Design Team and should be adopted and implemented.

Examples for Highway Commercial Development Site Design:

- As a minimum a green space buffer of 20% of the total developed area is required when parking is at the back of the building. However, when parking is between the building and the highway, it will require a minimum 30% of green space, to reduce an "urban" strip development appearance. The developer has the choice of:
- Development with parking lot(s) located to the building's rear and sideyard(s) is most desirable. For design purposes, such development may be located the minimum allowable setback (distance) from the highway with a minimum of 20% green space provided, evenly distributed in the developed portion of the parcel, and landscaping maintained to the building's front, rear, and sideyards.
- Development with parking lot(s) located between the building and the highway will require more green space and heavier landscaping located between the highway and the parking lot. As much as 20% of the required 30% minimum green space will be needed between the parking lot and highway to soften the visual impact of the parking lot as viewed from the highway.
- Roadside trees are very important to northwoods character and their removal must be absolutely minimized and supported by clear justification.

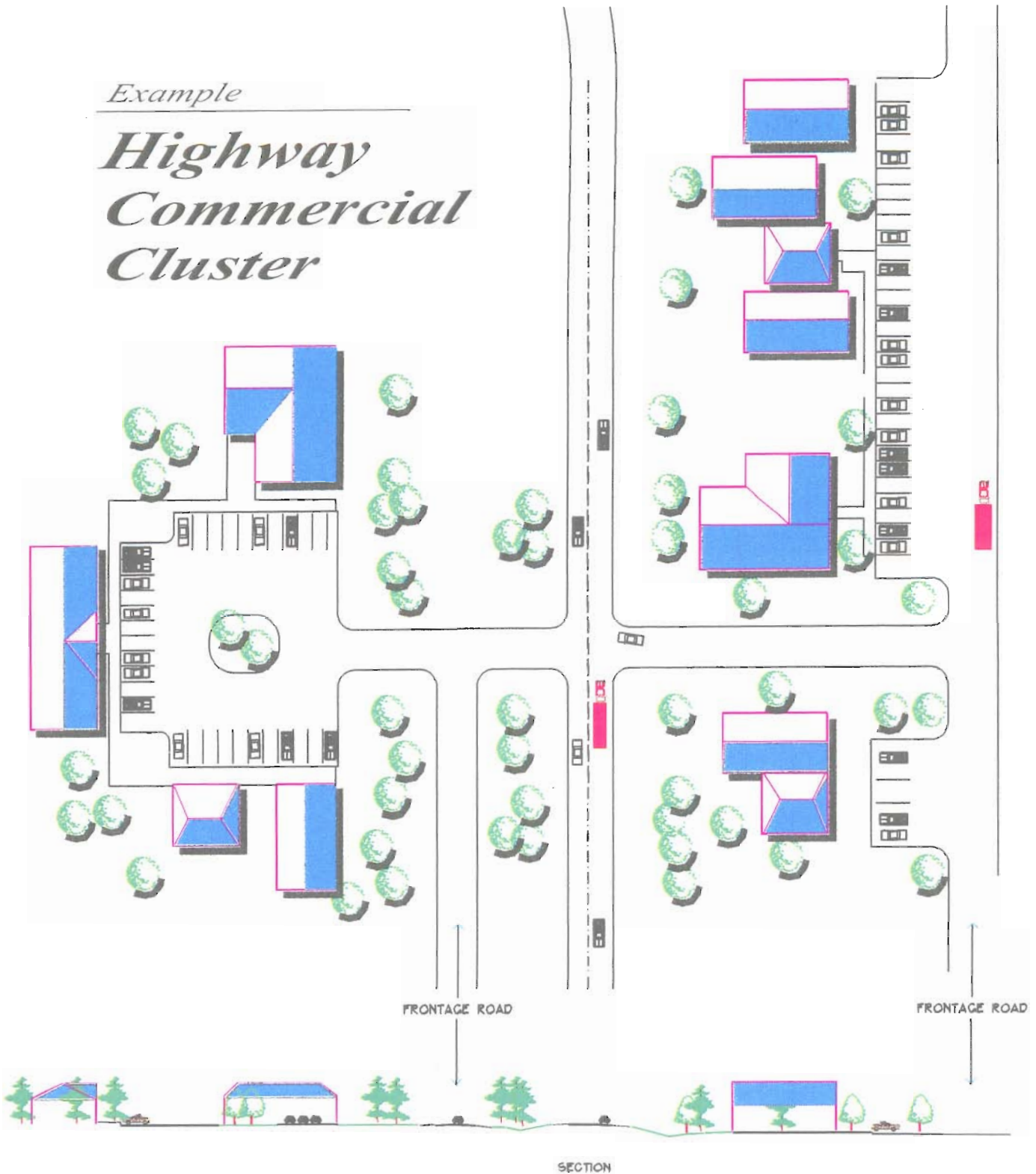
Highway Cluster Commercial Design Example:

Following is one example of commercial development that could occur along USH 51 south of the existing downtown retail district. This cluster commercial would utilize a simple access road with common parking either in front or at the rear of the business. Ample room for landscaping or retaining existing natural vegetation is imported along with a coordinated sign graphics package for each business cluster. (Figure 8)

Figure 8

Example

Highway Commercial Cluster



5. Downtown Commercial C-1

Mercer has the opportunity to maintain a distinct downtown retail service district that provide easy pedestrian access to most businesses as well as community facilities. (Figures 9 and 10)

This area features prime USH 51 Access and has remained in a compact physical form only three blocks long and one block deep on each side of USH 51.

The adoption and implementation of the architectural and site design standards as developed by the Mercer Northwoods Design Team is critical to maintaining the Northwoods Image for the community.

The following are recommendations for commercial development in the downtown retail district as developed by the Northwoods Design team.

Commercial Development Design Standards (Downtown and USH 51 commercial corridor)

Building Architecture:

- No one architectural style is required if the design falls within these guidelines.
- The *architectural character* should be rustic or present an "old style" northwoods appearance vs. a "modern" urban appearance.
- The building colors will be earthtoned (*including muted browns, grays dark green, terracotta and other colors deemed appropriate by the Design Review Committee*).
- Natural building materials will be used as facade and trim. *These include natural fieldstone, brick, knotty pine, full or partial log, or wooden clapboard siding.*
- Architecture details incorporated into the building's design should be appropriate to Mercer's past and be constructed of *wood, stone, or other natural materials*.
- Chimneys, if included, should be made of brick or stone.
- "Franchise" architecture *is not acceptable to Mercer's northwoods design.*
- Acceptable roof colors are darker earthtones *unless made of natural wood shingle materials*. Roofs may be of any material, but designed with consideration to ice/snow fallout and pedestrian safety.
- Gas station canopies *will use earthtone colored facades or incorporate natural wood or stone materials in their design.*

Figure 9

TOWN of MERCER • IRON COUNTY WISCONSIN • LAND USE PLAN



BUSINESS DISTRICT
TOWN of MERCER

- BAR/FOOD
- GAS/CONVENIENCE
- SPORTS/FISHING EQUIP.
- HOTEL
- REAL ESTATE

- 1 PLUMBING STORE
- 2 GAS/CONVENIENCE
- 3 BAR
- 4 OFFICE-REAL ESTATE
- 5 CHURCH
- 6 RESTAURANT
- 7 REALTY SHOP
- 8 GAS/CONVENIENCE
- 9 REALTY SHOP
- 10 VIDEO
- 11 COLT-FOOD
- 12 BOATS/SNOWMOBILES
- 13 RESTAURANT
- 14 SPORTS/FISHING EQUIP.
- 15 BAR
- 16 BAR/FOOD

- 18 INSURANCE/REAL ESTATE
- 19 RESIDENCE
- 20 DRUG STORE/CLOTHING
- 21 POST OFFICE
- 22 BAR
- 23 SNOWMOBILE RENTAL
- 24 GAS/CONVENIENCE
- 25 BAR
- 26 FURNISH
- 27 LAW OFFICE
- 28 RESIDENTIAL
- 29 DENTIST
- 30 REAL ESTATE/BARBECUE SHOP
- 31 SPORTS/FISHING EQUIP.
- 32 TELEPHONE COMPANY

- 33 GIFTS
- 34 FIRE HALL / AMBULANCE
- 35 TOWN GOVERNMENT
- 36 CONSTRUCTION CO.
- 37 BAR
- 38 BAR/FOOD
- 39 SNOWMOBILE REPAIR
- 40 CLOTHING/GIFTS
- 41 GROCERIES
- 42 GIFTS
- 43 HARDWARE
- 44 HOTEL
- 45 REAL ESTATE
- 46 LAUNDRY/CHAT
- 47 BOATS / SNOWMOBILES
- 48 CHAMBER OF COMMERCE
- 49 FOOD MARKET
- 50 REAL ESTATE
- 51 ICE CREAM / FOOD
- 52 HOTEL
- 53 HOTEL
- 54 AUTO REPAIR
- 55 MEDICAL CLINIC
- 56 MERCER COMMUNITY CENTER
- 57 MIDWEST TIMBER
- 58 MULTI-UNIT HOUSING

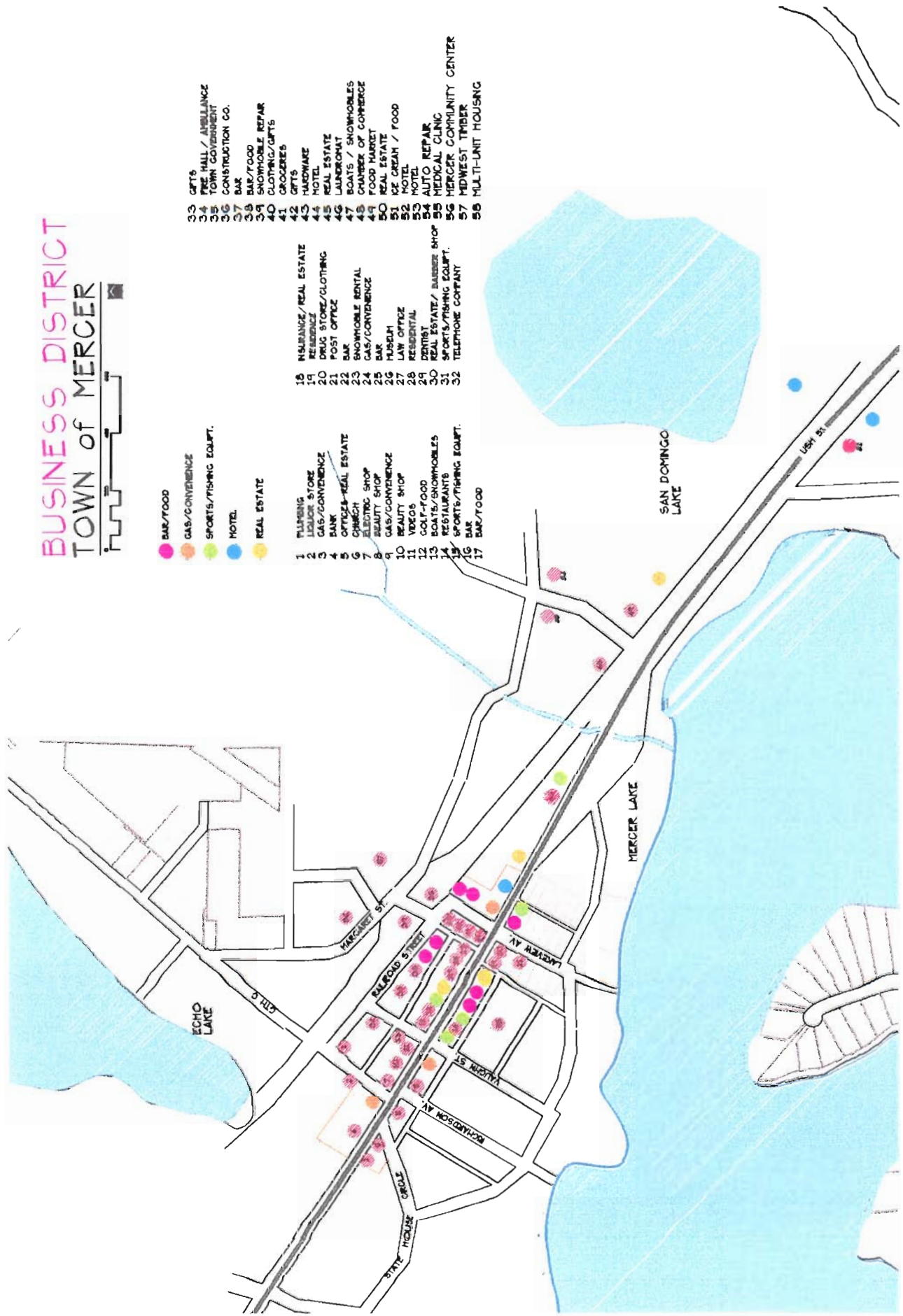
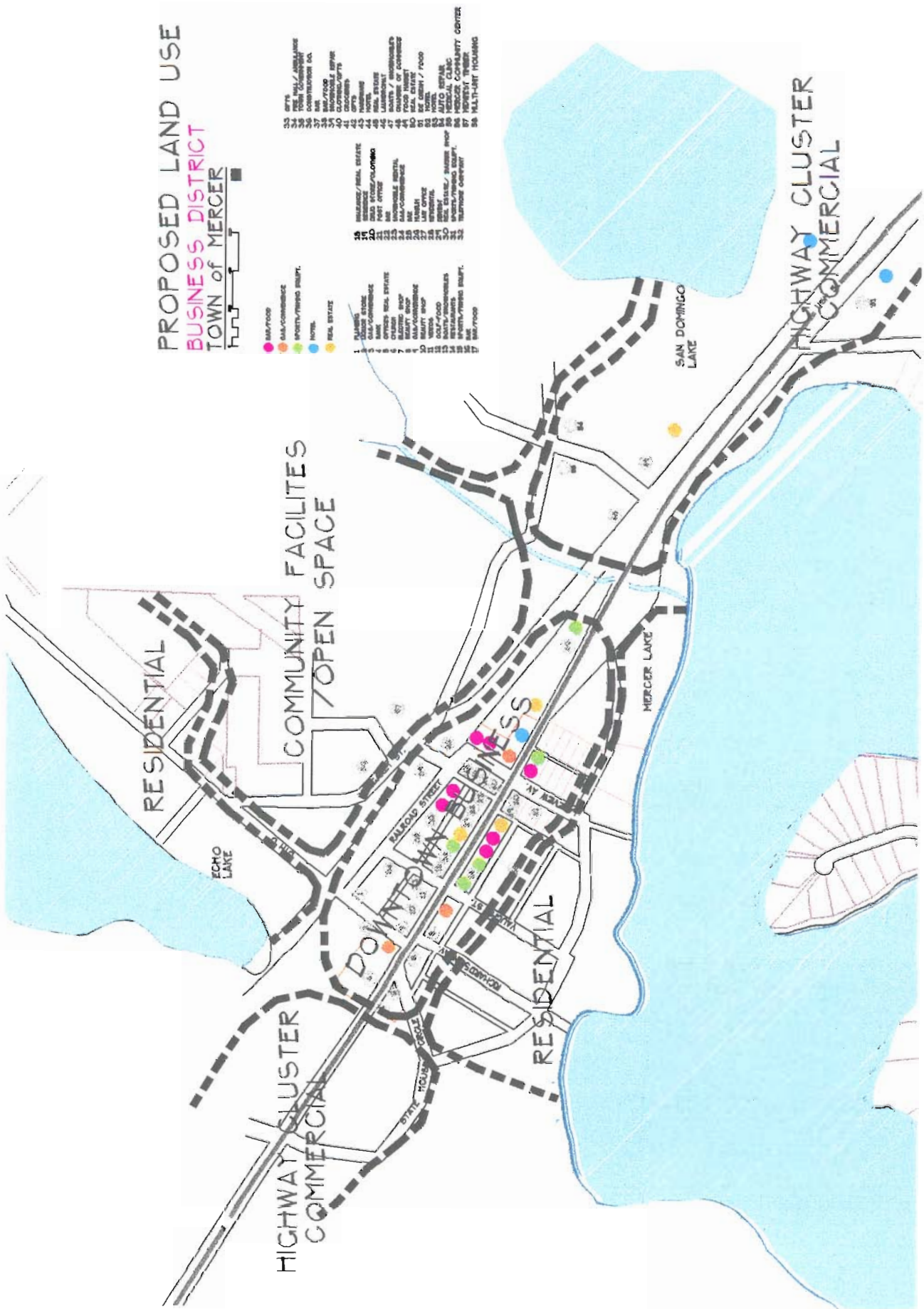


Figure 10

TOWN OF MERCER IRON COUNTY WISCONSIN **LAND USE PLAN** METROPOLITAN REGIONAL PLANNING COMMISSION



- Flat rooflines or square type building outlines give the image of a "big box" and are not in keeping with Mercer's northwoods character. *Gabled or gambrel roofs*, rooflines with a "broken" visual character *using peaks, eaves, dormers, or changes in rooflines between building sections are desirable.*

Building Size:

- The size of the building should be proportionate to surrounding buildings. Maximum allowable height in the commercial district is two stories.

6. Industrial Development I-1

It is important for Mercer to maintain a diversified light industrial and northwoods business park base for sustained economic growth.

Existing industry and wood product related facilities' are primarily located south on USH 51 in I-1 (industrial) zone districts. Maintaining a separation of industry, retail northwoods and residential is an important long-range land use planning tool and becomes an effective way to avoid major land use conflicts.

It is recommended that the wood industry chipping operation located adjacent to the downtown retail area, new community center and Mercer Community Schools be relocated to a site in the Town that provides buffer and compatible land use separation. It is important to keep this industry as a Town of Mercer based operation.

Following are recommendations from the Northwoods design team for industrial site development.

Industrial Development Design Standards

(USH 51 industrial sites and industrial parks)

- "Pole barn" construction is acceptable *if the building sheathing is a darker earthtone color(s).*
- The use of natural materials (wood and stone) is encouraged in the *front* facade design and trim for portions of the building within a public roadway or residentially zoned viewshed.
- *Acceptable roof colors are darker earthtones. Gables or gambrel roofs are preferred. Flat roofs are acceptable in industrial park areas, only.* Roofs may be of any material, but be designed with consideration to ice/snow fallout and pedestrian safety.

SECTION VI

IMPLEMENTATION TOOLS

Lakes Classification Plan

Local units of government in Wisconsin are charged with regulating land uses to protect the public health, safety and general welfare, and, they are encouraged to formulate policies and plans toward that end in advance. In carrying out this responsibility, a major emphasis is usually placed on resource protection, that is, fostering the wise use of waters, agricultural and forest lands, minerals, and other natural resources. Often, the strength of such resource-based land use programs, particularly when challenged in a court of law, can be traced rather directly to the degree to which the locality has linked its resource policies, plans, and regulations to available natural resource data.

The following discussion sketches one way land use programs can be grounded to the statistical information which exists for Wisconsin's water resources at the local level. The same method of regulating according to prior resource classification can be applied using different data sources in the case of other natural resources such as agricultural, forest, and mineral-bearing lands. Three general ingredients comprise the method: 1) a rationale, 2) a classification scheme, and 3) a regulatory program.

The plan will focus solely on classifying the surface water resource. Similar detailed data for streams and rivers does exist and can be built into local land use programs in basically the same way.

The regulatory program discussed later will pertain directly to the local zoning power on shorelands. A carrying-capacity approach could utilize the resource classification scheme for local surface water use regulations as well.

Once the classification system has been devised, it can be used for various purposes, zoning and non-zoning (ie., surface water use regulations) alike. Also, the system can provide a basis for dealing not only with routine and typical development proposals but with such atypical and non-routine matters as planned unit developments, conditional uses, rezonings, back-lot developments, resort conversions, etc.

The Rationale

There are two major reasons for utilizing this approach. First, lakes constitute important environmental and economic (recreation) resources in Wisconsin. Second, with a reasonable amount of time and effort, it is possible to devise a local program more sensitive to an individual lake resource than is the minimum statewide standard in Wisconsin.

On the first reason, water resource importance, ten counties of northwest Wisconsin house approximately 4% of the state population, but contain almost 25% (more than 400 square miles) of the states's inland water acreage. This includes nearly 6,000 lakes which are unevenly distributed according to basic indicators such as size, shape, and geography. For instance, more than two-thirds of the lakes are small, less than 25 acres in size and about 50 lakes are 600 or more acres. Similarly, the breakdown for lake shape shows that while about half the lakes are fairly regular ("round") and the other half are less regular ("long"), more than 350 lakes are

highly irregular ("spider"). Geographically, while one county has only 150 lakes, several have close to 1,000, and most northern counties have between 300 and 500 lakes.

Recent trends in permanent and transient population movement, such as the so-called rural residency turnaround (in-migration) and changing recreational travel patterns, also affect localities throughout the north differently and unevenly. However, generally these trends have resulted in substantial pressures for lake-related development and have contributed to the need for more systematic management and growth studies such as this carrying-capacity plan.

A brief look at two simple and fundamental lake characteristics, size and shape, provides an orientation to a problem with Wisconsin's minimum state standard approach for land uses in shorelands. The left diagram shows two lakes of identical shape, but different size, superimposed on each other. Little Round Lake covers 50 water surface acres, while Big Round Lake encompasses 200 acres. If we were to measure the shoreline length, we would discover that although Big Round has four times the surface water acreage its shoreline is only twice the length of Little Round. The right diagram, on the other hand, shows two lakes of identical size (50 water surface acres, like Little Round) but different shapes - Long Lake and Round Lake. In spite of the fact that they have the same water surface area, Long Lake has 60% more shoreline length. It is, therefore, potentially subject to much greater development and recreation user pressure, per water surface acre, than is Round Lake.

The figures below show how much the water surface area per developed shoreline lot would vary from lake to lake if we assume that all the lakes on Maps A & B could be fully developed at the state minimum standard of 100 feet per lot at the waterline. To the extent that we can agree that more water surface per lot generally translates into an increased capacity to carry or absorb the "shocks" (pollution, aesthetic degradation, etc.) which development imposes on the lake resource, we can conclude that large, regularly-shaped lakes (Big Round) have a greater absorptive capacity than do small, irregularly shaped lakes (Long Lake). And we can see that the use of a state standard (or any across-the-board standard of any dimension) ignores the existence of such variations. What we are not sure of, however, is precisely whether this is done at the expense of the most sensitive lakes (not protective enough), the least sensitive lakes (overly protective), or all lakes regardless of sensitivity (not protective enough or too protective).

Full Development Potential at Wisconsin Minimum Lot Width

<u>Lake Name</u>	<u>Number Lots</u>	<u>WSA/lot</u>
Long Lake (50 acres)	85	.59
Round and Little Round (50 acres)	53	.96
Big Round Lake (200 acres)	106	1.92

The Classification Scheme

Resource classification schemes range from very simple sortings into several groups based on one or two distinctive characteristics to highly complex divisions derived from interrelating many variables. In the case of lake resources, an extremely simple sort is often suggested in the names of the lakes - Clear Lake vs. Mud Lake, Bass or Trout Lakes, Big Spider Lake vs. Little Spider Lake, etc. Limnologists, on the other hand, spend much of their time studying all facets of inland waters and classifying them into numerous categories based on lake genesis, geography, and trophic status. What type of classification scheme gets used in a particular situation generally depends on judgments in four fundamental areas:

1. The nature of the resource. Lakes are complex and dynamic systems with highly individual characteristics. They are also systems that interrelate intensively with other ecosystems such as land, air, wildlife and fisheries, etc. In truth, man's understanding of lakes and their interrelationships falls far short of the ideal and, even within the limits of presently available knowledge, requires such time-consuming and expensive investigation that it is possible to establish relatively clear-cut, quantifiable cause and effect linkages only for a selected few demonstration projects. Contrariwise, man's studied observations concerning general lake processes are developed and accurate enough to permit, and even encourage, practical "middle-ground" approaches to management.
2. Data availability. Much information exists and can be utilized in classification schemes ranging from the simple to the complex. In Wisconsin, for instance, at least three valuable sources are readily employable for local projects. One source is the Surface Water Resources Report, prepared by the WDNR which exists for each county. It contains statistical tables with more than 20 different types of information on each lake in the jurisdiction. Another source is the even more detailed data which DNR keeps stored on computer tapes. This again exists by individual lake within each jurisdiction. Another important source is the firsthand experience and perceptions which local lake users can bring to bear through their participation in a classification project.
3. Intended use. This helps assure relevancy and efficiency. It does not make good sense to classify lake resources into eight groupings if only three divisions are to be used in the local land use program. Likewise, it does not really pay to devote a lot of effort to interrelating 24 different types of information if an interplay of three or four variables will accomplish almost the same result. And it is senseless to use an overly simple classification scheme, like lake names, if not all lake resources are named or if the names are misleading and inaccurately based on subjective and non-verifiable criteria. For instance, many lakes are not named at all and, of the named lakes, only a handful of the names are descriptive. And, among the descriptive names are lakes such as Bass, Bluegill and Round (shape) which may be verifiable, but Red (color) and Snake (shape) may not be. The participants from the jurisdiction, therefore, may play a judgmental role in identifying what is of primary concern to them, what is ultimately desired, and in reviewing alternative classification schemes for solving these problems and meeting their objectives.

4. User friendly schemes. The classification scheme is one, hopefully, which can be understood and accepted by those within the locality who must live by it as well as by those who must apply it. This is particularly important for land use programs. If people cannot follow the basic thrust of what is being done and why, they will probably challenge and reject it out of hand.

In this classification methodology, the focus is placed on rating lakes according to one basic index, vulnerability. The vulnerability determination amounts to scoring lakes on the basis of their physical parameters such as size, shape, depth, and flush potential. In those cases where additional and reliable qualitative data are available, a quality index may be incorporated as well. The quality determination is derived from scoring lakes according to characteristics of interest to the locality (fish and vegetative types and water quality parameters).

Data Interpretation

The discussion suggests that what is sought is a scheme which allows a locality to separate its highly vulnerable lake resources from those of lesser vulnerability. The locality can then provide maximum land use protection to lakes which could be expected to benefit most from this type of management (the regulatory incentive is high). Lakes which stand to benefit little from land use measures, on the other hand, would receive only minimum protection (the regulatory incentive is low). Lakes which fall in-between can be managed in accordance with a mid-level or moderate regulatory program. An alternative for these in-between lakes could be to scrutinize them further until a clearer decision concerning their sensitivity can be derived. This might mean looking at a new set of data variables (public land ownership and access, existing development, type and distribution of soils) which, for one reason or another (not readily available, too complex, etc.), had been omitted in the initial classification scheme.

In this example, local participants decided to proceed with a three-tier maximum-moderate-minimum classification system. This procedure allows a locality to reserve new data variables for lakes for which a re-classification is requested or for use when the regulatory agency is petitioned for a variance or special exception.

Lake Classification System Model

This model classification scheme utilizes a combination of natural resource factors that determine lake vulnerability or sensitivity.

Lake Surface Area

Lake surface area is an important determinant of the ability of a lake to support shoreline development and avoid lake user conflicts. As a general rule, smaller lakes (under 50 acres in size) are more susceptible to environmental degradation and visual impacts resulting from shoreland development and intensive recreational use.

The following scoring factors are used to rank lakes based on their surface area. - The lower scores indicate greater lake vulnerability.

Lake Surface Area	Scoring
Less than 50 acres	1
50 to 249 acres	2
250 or more acres	3

Maximum Depth

Lake maximum depth is used as a second indicator of vulnerability. Shallower lakes, which do not stratify, have greater circulation of dissolved nutrients that enter the lakes. These lakes tend to have a larger variety of aquatic plant communities that are valuable for a wide range of wildlife and fish. Beds of aquatic plant materials can easily be disturbed by intensive water recreation use and shoreline activities, such as cutting and chemical treatment of aquatic vegetation to create swimming and docking areas.

Shallow lakes are particularly susceptible to nutrient loading and turbidity problems, both of which can be increased by intensive shoreline development and recreational use. In general, shallower lakes are more appropriate for wildlife habitat protection and passive recreation than for motor boating, water skiing, and other more intensive lake uses associated with shoreline development.

The following scoring factors are used to rank lakes based on the maximum depth. The lower scores indicate greater lake vulnerability.

Maximum Lake Depth	Scoring
Less than 20 feet	1
20 to 39 feet	2
40 or more feet	3

Lake Type

In Wisconsin, many of the smaller lakes are seepage lakes formed by groundwater seeping into depressions in the glacial outwash plain. Most of these lakes are "landlocked" and have no external drainage. These lakes are the most vulnerable to premature eutrophication and contamination caused by development in the shoreland zone.

Drainage lakes flow into the surface water system of rivers and streams. These lakes, along with man-made impoundments, possess varying degrees of ability to naturally circulate and flush nutrients and other forms of contaminants, but generally these lakes are less vulnerable to environmental damage than the seepage lakes. A third category of lakes is spring lakes that are fed primarily by natural springs. These lakes have intermediate vulnerability.

The following scoring is used to rank lake vulnerability with respect to lake type.- The lower scores indicate greater lake vulnerability.

Lake Type	Scoring
Seepage Lake (SE)	1
Spring Lake (SP)	2
Drainage Lake (DG)	3

Watershed Area

The natural ability of lakes to flush and circulate water is also a function of watershed size, lake volume, and average rainfall. Lakes with larger watersheds tend to have a higher volume of water circulating through them and may have higher flushing rates.

Lakes with smaller watersheds tend to have a lower nutrient input; however, nutrients accumulate because of longer retention times. Generally lakes with smaller watersheds and long retention times are more vulnerable to nutrient loading from activities that occur in the shoreland zone, which is a larger percentage of the total watershed area.

The following scoring is used to rank lake vulnerability with respect to watershed size. The lower scores indicate greater lake vulnerability.

Watershed Size	Scoring
Under 1 square mile	1
1 to 9 square miles	2
10 or more square miles	3

Shoreline Development Factor (SDF)

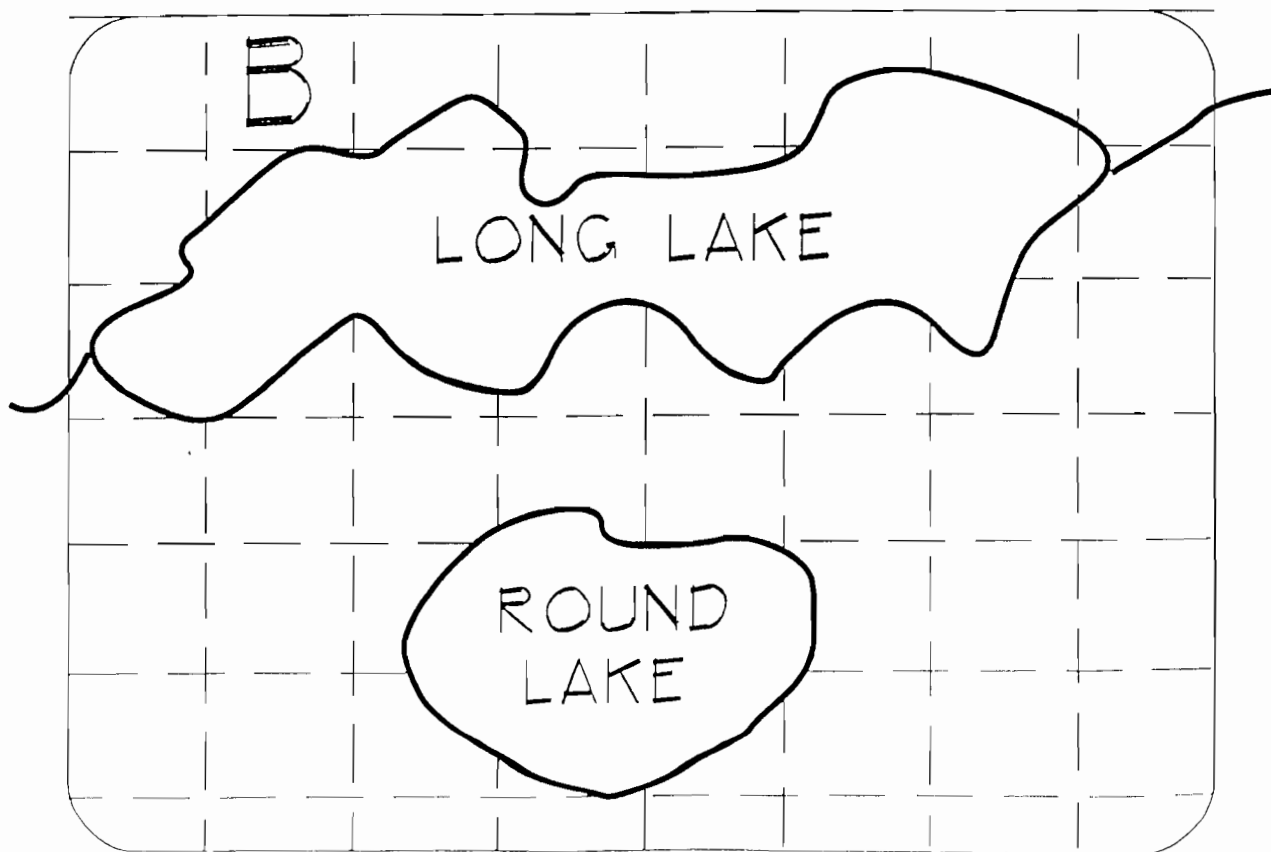
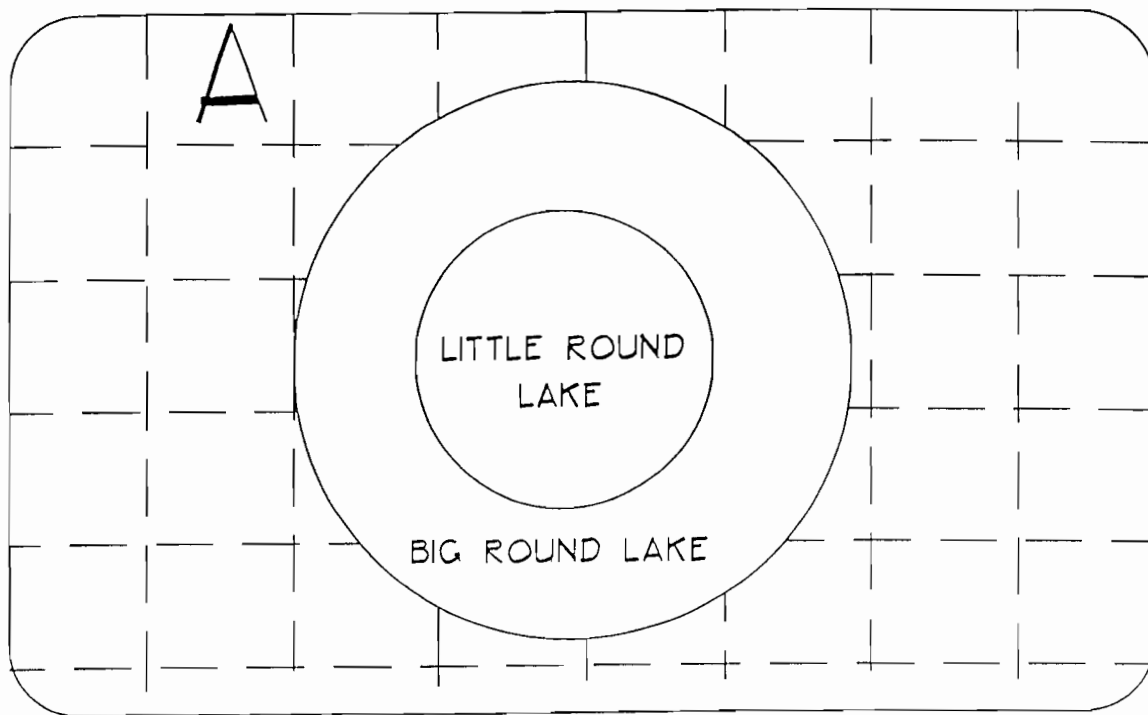
Shoreline development factor (SDF) is a convenient method of expressing the degree of irregularity of the shoreline of a lake compared to the surface area. The SDF ratio is the length of shoreline versus the circumference of a circle having the same surface area as the lake. A perfectly round lake would have a surface area of 1.00. The SDF can never be less than 1.00. (Figure 11)

Lakes with a higher SDF have more shoreline in relation to the surface area and thus are more vulnerable to development pressures per linear foot of shoreline that is developed. These lakes can more easily become overdeveloped and are more susceptible to various types of contamination and runoff resulting shoreline development.

The following scoring is used to rank lake vulnerability with respect to the shoreline development factor (SDF). The lower scores indicate greater lake vulnerability.

Shoreland Development Factor (SDF)	Scoring
2.00 or more	1
1.50 to 1.99	2
1.00 to 1.49	3

The Relation of Lake Size (A) and Shape (B) to Potential Shoreline Pressure



Littoral Muck

The presence of muck in the littoral zone has a tendency to indicate the presence of submergent and emergent vegetation. Lakes with greater than 33% muck in the littoral zone are considered to be more sensitive to development because of the perceived pressure to aquatic habitat.

Littoral Muck	Scoring
33% or greater	1
Less than 33% muck	2

Lake Classification Scoring Criteria Summary

Lake Surface Area	Scoring
Less than 50 acres	1
50 to 249 acres	2
250 acres or more	3

Maximum Lake Depth	Scoring
Less than 20 feet	1
20 to 39 feet	2
40 or more feet	3

Lake Type	Scoring
Seepage Lake (SE)	1
Spring Lake (SP)	2
Drainage Lake (DG)	3

Watershed Size	Scoring
Under 1 square mile	1
1 to 9 square miles	2
10 or more square miles	3

Shoreline Development Factor (SDF)	Scoring
2.00 or more	1
1.50 to 1.99	2
1.00 to 1.49	3

Littoral Muck	Scoring
33% muck or greater	1
Less than 33% muck	2

Overall Vulnerability Ranking	Lake Classification	Protection Level
Total score 13 or over	Class 1	Minimum
Total score 10 to 12	Class 2	Moderate
Total score 9 or less	Class 3	Maximum

The Regulatory Program

After a locality has worked out its classification scheme, its next (and final) step is to attach to it a regulatory program. There are two basic mechanisms that can be used. The locality can vary the density of development around the lake and/or the distance of development from the lake. As illustrated earlier, varying the distance around the lake has the effect of assigning greater or lesser amounts of water surface area (or water volume) per lot per lake, depending primarily on a judgement of absorptive carrying-capacity of the water. Varying distance from the lake, was not illustrated earlier, but it has the effect of allowing closer or farther development, depending on a judgment which relies primarily on a sense of absorptive carrying-capacity of shoreland adjacent to the lake. In actual fact, the use of either mechanism or both in combination, affects the carrying-capacity of a lake's total micro-environment, the water, and the land.

The following table contrasts the use of these mechanisms in Wisconsin and Minnesota at the state levels. Wisconsin opted to establish a minimum lot width and structural setback that, as was explained earlier, is insensitive to any particulars of a lake's micro-environment. Thus, a high quality-highly vulnerable lake receives a base-level of protection identical to that of a low quality-lowly vulnerable lake. The State of Minnesota, on the other hand, varies both the lot width and structural setback (and therefore, by extension the density around and distance from the lake) depending on whether the lake belongs to a class of lakes judged to have a greater or lesser carrying capacity.

Illustration of How the Two Extreme Classes of Lakes Would Be Regulated in Minnesota Contrasted with Wisconsin

	<u>Lot Width</u>	<u>Structural Setback</u>
<u>Iron County Minimum Standard</u>		
High Vulnerability	150 feet	75 feet
Low Vulnerability	150 feet	75 feet
<u>Minnesota State Standards+</u>		
High Quality/High Vulnerability	200 feet	200 feet
Low Quality/Low Vulnerability	100 feet	75 feet

This is an over-generalized presentation of the Minnesota system which relies on four classes of lakes and three sets of regulatory level, the density around, and distance from, the lake depending on whether the lake belongs to a class of lakes judged to have a greater or lesser carrying capacity.

From the point of view of grounding a land use program to the carrying capacity of adjacent resources like lakes, any across-the-board minimum standard, be it 100 or 400 foot lot widths, is equally insensitive. The latter, of course, does provide a higher level of protection than the former. But it is still not known how much more protection or around which lakes there might be regulatory overkill or underkill.

In reality, since lakes are such complex and dynamic systems, no amount of classification-regulatory effort will result in a land use program where one can say with any degree of accuracy how much additional protection one more foot of lot width or setback, or one hundred more feet for that matter, will provide a given lake resource. Users of the method described in this paper should accept that limitation as fundamental. However, a tier of generalized regulatory levels can be established which will assure that a higher degree of protection will be assigned to more sensitive lakes, while a lower degree will go to less sensitive environments. What the levels might actually be may vary from jurisdiction to jurisdiction since, to be most effective, they will be based on judgments combining the following ingredients: 1) the locality's wishes; 2) the experience of others (states and localities) with various protective levels; 3) research guidelines for the parameters receiving emphasis in the program; and 4) professional, "political," and public input and common sense.

Summary

- ** Lakes are important resources in Wisconsin and it is important to understand the interrelationships between these resources and land uses that occur along their shores and within their watersheds.
- ** The relationships are now not well accounted for, or reflected in, most of the minimum standard shoreline regulatory programs in use in Wisconsin.
- ** The data and methodology to establish a better linkage between water resources and adjacent land uses does exist and is available.
- ** Local units of government have the power to utilize this data and to establish a planning and regulatory approach that provides a more resource-sensitive shoreland program beyond the minimum standard.

Lake Development Policy

The following policy statements have been adopted as the guidelines for implementing the Town of Mercer Inland Lakes Classification System and accompanying recommended ordinance changes:

1. It is the intent of the Town of Mercer Board of Supervisors to preserve the natural and scenic qualities of the lakes and shorelines in the Town.
2. The Town Board of Supervisors recognizes that different lakes within the county have varying natural conditions that affect their environmental sensitivity or vulnerability to shoreland development. In recognition of this fact, the Lakes Classification System needs to take into account the relative vulnerability of each waterbody based on lake surface area, lake depth, lake type, length of shoreline, size of watershed, availability of wastewater treatment facilities, and existing degree of development.
3. The Town Board of Supervisors desires to balance the needs for environmental protection and responsible stewardship with reasonable use of private property and economic development.
4. Lakes that are environmentally-sensitive and in pristine or near-pristine undeveloped condition should receive the highest level of protection.
5. Future development and land divisions on lakes that are developed or partially developed should be carefully managed to prevent overcrowding that would diminish the value of the resource and existing shoreland property; minimize nutrient loading; protect water quality; preserve spawning grounds, fish and wildlife habitats, and natural shore cover.

Shoreland Regulations for the Town of Mercer

All ordinances of Iron County's Land Use Chapter 1 Section entitled Land Use and Shoreland Protection apply in the Town of Mercer. In addition, the following regulations apply only in the Town of Mercer.

(a) **Lake Class Development Standards**

- (1) After adoption of this section, or an amendment thereto, no lot area shall be so reduced that the dimensional and yard requirements required by this ordinance cannot be met. Parcels of land existing and of record shall meet the minimum requirements of Section 9-1-70 and lots existing and of records, ie., documented by recording of a metes and bounds description; or a Certified Survey Map; or a recorded platted subdivision, but of substandard size to the Lake Class Development Standards are hereby not nonconforming to the parcel size. The construction of new dwellings or replacement dwellings; additions to existing structures, and the construction of accessory buildings when a principal structure exists on the premises may be allowed by permit provided all other requirements, regulations, and setbacks can be met.
- (2) The following classification lists identify lakes named in "Surface Water Resources of Iron County", published by Wisconsin WDNR and appearing by name on the 1:24000 scale topographic maps published by the Geological Survey, commonly referred to as the G.I.S. Quadrangle Maps.

All unnamed lakes listed in the "Surface Water Resources of Iron County", Wisconsin WDNR and all named lakes under 40 acres in size are considered Class 3 protection lakes.

In addition, any lake inadvertently omitted from the "Surface Water Resources of Iron County" over 40 acres in size will be classified according to available information and non-listed lakes under 40 acres in size will be considered Class 3 protection lakes.

It should be noted that Iron County's shoreline regulation jurisdiction extends only to those portions of shoreline outside the boundaries of any incorporated municipality.

Development standards for rivers and streams refer to all rivers and streams in the Town of Mercer deemed by the Wisconsin WDNR to be navigable.

There are un-named lakes that have "local" names and for the purpose of this classification are considered Class 3 lakes.

(3) Dimensional Requirements

**DIMENSIONAL REQUIREMENTS
TOWN OF MERCER
SHORELANDS CLASS DEVELOPMENT STANDARDS
TO APPLY TO LAKE AND RIVER PROPERTIES**

Lakes Classification	Lot Size	For Each Single Family Dwelling Unit Lot Width	Shoreline Setback	Lot Depth	Vegetation Removal	Side Yard Setback for all Structures
Class 1	30,000 s.f.	150 ft. *300 ft.	75 ft.	200 ft.	30' corridor within 35' of shore	10' min. 40' min. total
Class 2	40,000 s.f.	200 ft. *400 ft.	75 ft.	200 ft.	30' corridor within 35' of shore	20' min. 50' min. total
Class 3	62,500 s.f.	250 ft. *500 ft.	100 ft.	250 ft.	30' corridor within 50' of shore	30' min. 60' min. total
Rivers & Streams	50,000 s.f.	200 ft.	100 ft.	250 ft.	30' corridor within 50' of shore	30' min. 60' min. total

*NOTE: Two or Three Family Dwelling/Unit

See Figure 12 for a graphic example of the Town of Mercer Development Standards.

(4) List of Lakes

TOWN OF MERCER LAKES CLASSIFICATION

<u>Classification 1</u>			<u>Classification 3</u>	
Cedar	Allen	Minnow	13-11	27-6ba
Echo	Altman	Net	13-14	27-6bb
Fisher	Bear	Nokomis	13-15	28-11
Flambeau Flowage	Beaver	North Grant	14-11	28-12a
Lake of the Falls	Belding	North Pine	14-16	28-12c
Pike	Bluegill	Norway Pine	14-1b	28-15
Spider	Brandt	One Man	14-4	28-2
Trude	Brandt	Paul	15-7	29-14
	Brush	Payment	16-1	29-15
	Cille	Plantation	16-15	3-13
	Courtland	Popko	16-5	3-14
	Cramer	Ruth	16-6	3-2
	Davis	San Domingo	16-8	3-4
	Dead Horse	Saskatoon	17-10	30-8bb
	Deer	Sells	17-6	30-8bd
	Deer Tail	Seven Acres	18-7	31-11
	Dollar	Shay	18-8	31-12
	DuPage	Smith	19-12	31-14
	East Twin	Spring	19-15	31-4
	Feeley	Tahoe	2-8	31-6
	Fierek	Tamarack	20-14c	32-13
	First Black	Trap	20-7ba	32-5
	Flannagan	Twin	20-7bb	32-6d
	Fox	Viola	20-8	33-5
	Geyser	Voss	21-11	34-15
	Harper	Wallace	21-15	34-16
	Hazel	Weber	21-3	35-7
	Hobbs	West Twin	21-5	36-7
	Jankewitz	Woodson	22-1	4-16
	Judd	11-1	22-7	5-10
	July	13-10	23-6	5-12
	June	14-15 (Rat)	24-13	5-13
	Kelly	14-1a	24-13c	5-6
	Kinder	20-14a	24-13d	5-7ac
	Krupka	26-11	24-14	5-7ad
	Kyle	32-6a	24-16a	5-7d
	Lac de Beaumont	6-14	24-16d	5-9
	Lipp	6-9	24-3	6-13
	Little Martha	8-7	24-8	7-11
	Little Moose	1-10	25-13	7-8a
	Lost	10-11	25-15	7-8d
	Margaret	11-15	25-7	7-9ba
	May	12-5	26-9	7-9bd

(b) **Setbacks from Navigable Water**

- (1) For lots that abut on navigable waters, all buildings and structures, new dwellings on vacant lots and replacement dwellings; except piers, boat hoists, boathouses, and open fences which may require a lesser setback, shall be set back a minimum of 75 feet from the ordinary high water mark of navigable waters and navigable wetlands adjacent to any navigable water. All setback distances are measured from the overhang or appendage such as a deck, horizontally to the closest point of the ordinary high water mark. For lots that abut on nonnavigable wetlands, all buildings and structures shall be set back a minimum of 40 feet from the wetland boundary. Navigable wetlands shall be determined by the zoning administrator.
- (2) Reduced building setbacks. For additions to existing structures, a water line setback of less than that required by Section 4.49 (1), may be permitted by the Zoning Administrator where there is at least one principal building on either side of the applicant's lot, within 200 feet of the proposed site that is built to less than the required setback. The setback shall be the average of the setbacks of existing principal buildings and the required setback on vacant lots. Existing principal buildings less than 40 feet from the ordinary high water mark shall be calculated at 40 feet. Existing principal buildings greater than 75 feet from the ordinary high water mark shall be calculated at 75 feet. On undeveloped property within 200 feet, each minimum lot width shall be deemed a vacant building site and shall be calculated with the required 75 foot setback.

(c) **Lake Access**

All private lake accesses; lake access easements; or outlots; deeded or contractual accesses for the purpose of lake access shall meet the following requirements (also see Figure 13):

- (1) The access to a navigable waterway for backlot or off-shore development shall meet the minimum lot and parcel size requirements of the Lake Class Development Standards. The lot width shall be measured at right angles at all points along its side lot lines and the minimum required lot area shall exclude any wetlands. A contiguous buffer area of 25 feet along each side lot line running the full depth of the lot shall remain in its natural state. The cutting of vegetation or trees or the construction/placement of buildings within the buffer zone is prohibited.
- (2) The number of single-family lots, building sites, single-family units or single family condominium units utilizing said access shall be limited to four (4).
- (3) Only one (1) accessory building will be allowed on the lake access parcel meeting the requirements of Section 9-1-66 (3); except that actual boat storage and/or the connection of any pressurized water system is prohibited.
- (4) The creation or use of land for a lake access shall be by conditional use only in the R-1 and RR-1 zone districts in accordance with Sections 9-1-200 and 9-1-201. The Zoning Committee shall consider the size, shape, depth, present and potential

use of the lake, and the effect of the private access on public rights in navigable waters.

(d) **Resorts and Condominiums**

- (1) The construction of additional rental cabins/dwellings within an existing resort or the construction of additional dwelling units within a recorded condominium shall meet the minimum lot and parcel size requirements of the Lake Class Development Standards.

To determine the number of total cabins/dwelling units allowed, take the minimum lot area requirements multiplied by the number of principal structures, divided into the total lot area of the resort or condominium. No principal structure shall be located less than 20 feet from an existing principal structure and shall meet all water line, road, lot line, and septic setbacks.

Northwoods Character Design Review Process

The UW-Cooperative Extension Service provided educational programs on design and design review which related to land use planning and zoning in Mercer. A citizen-based process was developed to determine what was appropriate for "northwoods character" development. The findings of the design assessment were used to: 1) establish the contents of a northwoods design review standard's ordinance, 2) provide photo examples to evaluate future design proposals, and 3) provide citizens and the development community a clear understanding of future design expectations for Mercer.

GOALS:

1. To protect and enhance the natural resources within the Town of Mercer.
2. To direct responsible growth and development which are consistent with maintaining northwoods design character.
3. To safeguard property values, protect public and private investments, and promote high quality commercial, multi-family, and industrial development consistent with northwoods character.
4. To develop and apply design review standards which are consistent with Mercer's Future Survey and Mercer Design Assessment Photo Boards.
5. Well-designed cluster development is encouraged and the permitted use, however, highway strip development is a conditional use which will require additional design criteria.
6. To encourage design which preserves and incorporates existing natural landscape features which improves the general northwoods character of the Town.

7. To protect adjacent landowners from adverse or inappropriate aesthetic impact problems which are not consistent with northwoods character.
8. To establish a formal review process which includes appropriate criteria for design review related to new or remodeled buildings, site protection, landscaping, and site development.
9. To maintain the appearance of design through approved developments throughout the entire life of the development or unless new design review is appropriate.

Open Space/Natural Resources Design Standards

The objective is to insure that adequate open space and natural resources are incorporated into design solutions to provide an overall appearance of Mercer northwoods character.

Existing Built Environment Design Standards

The objective is to maintain the existing built environment which respects the design review standards and use these examples, along with other notable examples outside the Town, to serve as a base from which appropriate design solutions are proposed for commercial, multifamily, and industrial development.

Relationship of Building to Site Design Standards

The objective of this section is to incorporate into a site plan the design standards for commercial, multifamily, and industrial development. The site plan should integrate natural resources, buildings, parking, and landscaping into a functional and aesthetic solution which depict desired northwoods character.

Building Design Standards

The objective is to promote a northwood character style of development. For approval, new developments must meet the range of positive examples on the photo assessment boards and the design standards by clearly demonstrating how the building design maintains or enhances northwoods character. The building design must avoid presenting an appearance of either monotonous similarity or excessive dissimilarity with appropriate existing structures. The photos and building standards are intended to provide examples which prevent these extremes.

Landscaping Design Standards

The objective is to provide a landscape site design which preserves existing natural vegetation and incorporates where possible additional locally native plants which complement the plant communities and ecosystem of the area. The aesthetic intent is to improve the appearance of all

area through incorporating green space into the development in ways that harmonize and enhance the natural and built environment.

Exterior Lighting Design Standards

The objective of the exterior lighting design standards are to provide the necessary lighting which reflects northwoods character by intensity, location, placement, color, and overall design integration with the total development, rather than lighting which is typical of urban conditions.

Signage Design Standards

The objective is to encourage creative, distinct, and effective signs which are appropriate for the individual proprietors, yet meets the community design standards of northwoods character and promotes a positive signage image. The design standards are intended to foster signage which respects the residential, forested, and scenic open space character of the Town. Sign design review is limited to the aesthetic and appropriateness of sign appearance.

Relation to Adjacent Sites Design Standards

The objective of this section is to achieve design appearance compatibility among separate, individually owned parcels, which visually appear as continuous development. The applicant has the burden of clearly demonstrating how the proposed project has the aesthetic qualities to meet the visually continuous compatibility test.

Highway Commercial and Cluster Development Design Standards

The objective of this section is to provide design review guidelines and standards which protect against the negative aspects of highway "strip" commercial and encourage development which responds to the principles of cluster commercial development. Highway "strip" commercial tends to visually blight the roadside and generally lack the design qualities which are desired in maintaining or enhancing "northwoods character".

TOWN OF MERCER NORTHWOODS DESIGN STANDARDS

Introduction

The basis of the Mercer Design Ordinance comes from the Mercer Futures Survey (1996) where 89% of local residents and non-local property owners said they supported the Town developing its own zoning ordinances to maintain the community's "northwoods character". Using photographic techniques, a citizen committee appointed by the Mercer Town Board, has defined Mercer's "northwoods character" in photos and these written recommendations to guide future commercial and industrial development.

Consult the Mercer Northwoods Design Photo Boards for *visual* examples of the following design elements included in this ordinance:

- | | |
|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| <ul style="list-style-type: none">• Site Design• Landscaping | <ul style="list-style-type: none">• Architecture• Signage |
|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|

Section I. SITE DESIGN - LANDSCAPING - ARCHITECTURE DESIGN REQUIREMENTS

The goal of these site design, architectural, and landscaping recommendations is to help preserve the community's northwoods character through an overall appearance of naturalness, openness, cleanliness, and visual order in new commercial and industrial development.

1. GENERAL REQUIREMENTS:

- 1.1 A Site Design and Maintenance Plan, specifying the architectural, site design/landscaping design and their maintenance is required for an occupancy permit for any new commercial or industrial development or remodeling (as specified in subsection 4).
 - ▶ Exception: In cases where immediate landscaping is not possible, a conditional occupancy permit may be issued, with landscaping to be completed within one year of occupancy, and will require a planting schedule.
- 1.2 Site design will incorporate existing topographic grades into the design and/or when grading and contouring the site so that the finished grade should appear as natural to the site and surrounding areas and protect the natural resources and adjacent properties.
- 1.3 Whenever possible, the site design should incorporate existing natural features such as existing vegetation, forested areas, streams.

- 1.4 Pedestrian friendly designs including walkways, benches, and curb cuts are encouraged where practical.
- 1.5 Roadside trees are very important to northwoods character and their removal must be absolutely minimized and supported by clear justification. The use of existing roadside trees and natural vegetation in green space and buffer areas is encouraged.
- 1.6 Mechanical equipment including, but not limited to: heavy equipment, dumpsters/recycling bins, loading and services areas, open storage areas, propane tanks, ground-mounted satellite dishes, gravel pits, must be totally screened from view from the right-of-way (ROW) and navigable waterways. Suitable screening in order of design preference are:
 - a) Preserved Natural Landscape Green Space: Must be a minimum of 15 feet in depth and consist of a mixture of natural and planted deciduous and coniferous trees between the development and the ROW and/or navigable waterway of sufficient density to screen the object(s) during all seasons. The use of existing trees, shrubs, and natural vegetation in the green space is required.
 - b) Planted Landscape Buffer: A dense planting(s) of spruce and balsam evergreens. The planting will be a minimum of 15 feet in depth and will mature to a height appropriate to screen the object(s).
 - c) Opaque Wooden Fencing: Left in either an original unpainted or natural color or painted an earthtoned color surrounding the structure of sufficient size to screen direct view of the object(s).
 - d) Enclosure: An enclosure or shelter surrounding the structure of sufficient size to screen direct view of the object(s) that is of an earthtone color.

Illustration: Preserved Green Space Buffer and Planted Landscape Buffer

2. **HIGHWAY COMMERCIAL DEVELOPMENT STANDARDS** **(Includes commercial development in the downtown and USH 51 corridor)**

2.1 **Commercial Architectural Design**

- a) No one architectural style is required if the design complies with the requirements of this ordinance.
- b) The architectural character should be rustic or present an old style northwoods appearance vs. a modern urban appearance. "Franchise" architecture is not acceptable to Mercer's northwoods design.

- c) Commercial architecture design will incorporate the following design standards to achieve a northwoods appearance:
1. Commercial building facades will be earthtoned colors including muted browns, grays, dark green, terracotta and other colors deemed appropriate by the Design Review Committee.
 2. Natural building materials will be used as facade and trim. These include natural fieldstone, brick, wood, or full or partial log siding.
 3. Architecture details incorporated into the building's design should be appropriate to Mercer's past and manufactured from wood, stone, or other natural materials.
 4. Chimneys, if included, should be made of brick or stone.
 5. Acceptable roof colors are darker earthtones unless made of natural wood shingle materials. Roofs may be of any material, but designed with consideration to ice/snow fallout and pedestrian safety.
 6. Rooflines: Flat rooflines or square type building outlines give the image of a "big box". They are not in keeping with Mercer's northwoods character and are not permitted for commercial buildings. Gabled or gambrel roofs, rooflines with a "broken" visual character using peaks, eaves, dormers, or changes in rooflines between building sections enhance northwoods character.
 7. The size of the building should be proportionate to surrounding buildings. Maximum allowable height in the commercial district is two stories.
- d) Historic buildings should be maintained to preserve the building's original facade and character.
- e) Gas station canopies. These design standards will apply to gas station canopies:
1. Height: The top of the canopy may extend no higher than 18 ft. and the bottom edge of the canopy may be no higher than 15 ft. from mean centerline street grade.
 2. Color & Design: Must be earthtone and constructed and/or sheathed in natural materials. Advertising, logos, "corporate" color schemes or other ornamentation is not permitted on the canopy.
 3. Lighting: The canopy itself may not be internally illuminated.

4. Lights within the canopy: Must be totally recessed under the canopy and shielded so that the light source is completely shielded from view from the right-of-way.

2.2 Commercial Development Site Design and Landscaping

Appropriate commercial site design includes: a) Conventional Business Site Design and b) Clustered Commercial Development. The intent of these requirements is to prevent the appearance of urbanized strip development within the Town of Mercer.

a) **Conventional Business Site Design**

In this design, individual commercial businesses have frontage abutting a public roadway. Businesses are typically arranged in a linear strip of development. This type of design will require a "green space" between the development and the roadway to reduce the appearance of "urban" strip development. The developer has a choice of:

1. Parking to the building's rear. (Preferred Site Design)
Requires the equivalent of 20% of the total developed area (building, parking lots, driveways) be established and maintained as green space.

Site Requirements: Development with parking lot(s) located to the building's rear and/or side yards is most desirable. Such development may be constructed at the minimum front setback (distance) from the roadway as required by zoning codes. Of the total green space required, at least 50% must be established and maintained between the development and the roadway. This green space may be incorporated into the setback area. The remaining 50% of the total required green space shall be evenly distributed between the sidelots.

*Illustration: Conventional Commercial Building Site Design-
Parking in the Rear.*

2. Parking between the building and roadway. (Least Preferred Site Design): Requires the equivalent of 30% of the total developed area (building, parking lots, driveways) be established and maintained as green space.

Site Design Requirements: Development with parking lot(s) located between the building and the roadway will require more green space and heavier landscaping between the highway and the parking lot(s). *In addition to the minimum required front setback*

required by zoning codes, 50% of the total green space will be required to be established and maintained between the setback line and the parking lot to soften the visual impact of the parking lot as viewed from the roadway. The remainder of the green space required will be evenly distributed between the sidelots.

*Illustration: Conventional Commercial Building Site Design-
Parking between the roadway and the building*

b) **Clustered Commercial Site Design**

Individual businesses are grouped together and set back from the public roadway. They share a common access driveway to the public roadway and a parking lot. There is a common "directory" type sign at the primary access point to the Highway. Green space will be provided between the cluster and the highway. Green space and landscaping between individual businesses within the cluster encouraged, but will not be required. *See illustration.*

1. Clustered Commercial Development shall provide a green space buffer consisting of a minimum of one tree and one shrub for each 15 feet of linear frontage, between the highway and the development.
2. Green space requirements for individual businesses are waived.
3. The business' listing on the cluster's common "directory" sign is exempt from being counted as one of its allowable off-premise advertising signs.

Illustration: Clustered Commercial Site Design

- c) **Screening Parking Lots Adjacent to Navigable Waterways:** Rearlot and sidelot landscape buffers are not required unless a parking area is adjacent to a navigable waterway. In that case, a minimum 15 foot deep landscape buffer of densely planted spruce and balsam evergreen trees will be established between the parking lot and the navigable waterway *in addition to any other green space requirements.*

3. **INDUSTRIAL DEVELOPMENT STANDARDS**
(Includes industrial development on USH 51 and industrial park areas)

3.1 Industrial Architectural Design

- a) "Pole barn" construction is acceptable only if the building is sheathed and trimmed in earthtoned colored siding including muted browns, grays, dark green, terra cotta and other colors deemed appropriate by the Design Review Committee.
- b) The use of natural materials (wood and stone) is encouraged in the building's front facade design and trim portions viewable from a public roadway, residential neighborhood, or navigable waterway.
- c) Acceptable roof colors are darker earthtones. Gabled or gambrel roofs are preferred. Roofs may be of any material, but be designed with consideration to ice/snow fallout and pedestrian safety.

3.2 Industrial Development Site Design and Landscaping

- a) Industrial developments require a dense planting(s) of spruce and balsam evergreens to totally screen and soften the development from any public roadway, shoreland area, or any residentially zoned areas that border the parcel. A landscape buffer zone will be established that is a minimum of 15 feet deep, consisting of plantings of spruce and balsam that are between 4-6 feet in height at time of planting and will mature to a height appropriate to screen the building and its associated structures, equipment, and parking area(s).
 - ▶ Exception: Industrial buildings, that are viewable from a public roadway, that meet the northwoods design architectural requirements of this ordinance as listed in subsection 2.1(c), will be subject only to establishing green space between the building and any ROW instead of a landscape buffer.
- b) Rearlot and sidelot green space is desirable, but not required unless the parking area is adjacent to a navigable waterway. In this case, a minimum 15 foot deep landscape buffer of densely planted spruce and balsam evergreen trees will be established between the parking lot and the navigable waterway *in addition to any other green space requirements.*

4. REMODELING

- 4.1. Any existing commercial or industrial building that undergoes any one of the following modifications, over the lifetime of the structure, will be required to comply with the architectural and site design requirements of the Mercer Design Ordinance:

- a) Exterior remodeling that will result in costs exceeding 50% of the building's value, and/or,
 - b) Expansion of the building's footprint in excess of 50% of the building's size
- 4.2. After these 50% lifetime exemptions have been exceeded, any additional remodeling changes must comply with the Mercer Design standards for that type of development.
- ▶ Exception: Any remodeling changes that comply with the Mercer Design Ordinance will be exempt from being considered in the 50% lifetime allotment.
- 4.3 Any change in the color, design, or appearance of a commercial or industrial building will be required to comply with the requirements of the Mercer Design Ordinance.

SECTION II: MERCER SIGN DESIGN STANDARDS

1. GENERAL SIGN REQUIREMENTS

- 1.1 Unless specified otherwise in this ordinance, any sign, new or preexisting in the Town of Mercer (TOM) shall, within 90 days of the adoption of this ordinance, require a permit, comply with permit requirements including an annual fee and permit. All signs will display a permit sticker. Any sign that does not have a permit will be removed immediately.
- a) Wisconsin Department of Transportation (WisDOT) regulated signs deemed illegal at the time of this ordinance being enacted will not be issued a permit and shall be removed within 90 days of enactment of this ordinance.
 - b) Upon the effective date of this ordinance, any existing sign or sign structure used for business advertising purposes in the Town of Mercer and considered legal by WisDOT standards, that does not fully comply with the standards set forth in the Town of Mercer Sign Ordinance, shall be deemed "legal non-conforming". These signs shall be required to comply with all standards set forth in this ordinance no later than five years from the date this ordinance is adopted.

Required Action

<u>WisDOT Sign Status</u>	<u>Town of Mercer Sign Status</u>
Illegal Sign must be removed immediately	Legal Non-conforming Sign Permit required, but the sign is "grand fathered" with 5 years to meet Mercer sign standards
Legal WisDOT Signs	Conforming Signs: Permit required.

- c) Upon the adoption of this ordinance, no legal non-conforming sign may be enlarged or replaced without a new sign permit, approved under the requirements of this ordinance.
- d) If any legal non-conforming sign deteriorates or is damaged to the point that 50% or more of the original sign is in need of replacement, the sign will be considered not in compliance of the ordinance and removed.
- e) A sliding fee scale will be established for these four classes of signs:
 - 1. Way finding for TOM businesses and residences
 - 2. Way finding for non-TOM businesses and residences
 - 3. Off-premise for businesses located within the TOM
 - 4. Off-premise advertising signs for businesses located outside the TOM

On premise exterior advertising signs will require a permit, but it will be issued free of charge

► Exception: Occupational and Business Directory Signs that comply with this ordinance are exempt from permit requirements.

- f) Permits will be issued by the Town of Mercer according to this schedule:
 - 1. Initial Sign Approval: No later than ten days after erection of any sign, the permittee shall provide Town with a completed sign permit, permit fees, and two photos of the completed sign as it is erected. One photo shall show the sign and all supporting structures as it appears on the permitted location, and the other photo shall clearly show all information appearing on the sign. Failure to submit photos shall result in the permit being denied and the sign removed at the owner's expense.

If the front and reverse side of a sign, displays information or if it is a V-shaped sign, it will be considered two signs and a third photograph shall be required that clearly shows all information on both sign faces.

2. Final Approval: Upon finding that the erected sign meets all of the requirements of this ordinance, the Town of Mercer shall issue the final sign approval and issue a permit sticker to the permittee which will be affixed to the sign.
 - g) Signs not in compliance with this ordinance shall be subject to removal at the owner's expense.
 - h) Any person violating any provision of this ordinance, upon conviction thereof, shall forfeit a penalty as established by the Town of Mercer.
 - i) Any provision of this ordinance which creates an undue hardship, may be appealed to the Mercer Town Board.
- 1.2 Any change in a business or transfer in ownership will require existing signs be issued a new permit under this ordinance.
- 1.3 All signs are required to be kept in good repair and maintain a neat appearance.

Routine maintenance to an existing sign is allowed without a permit as long as there are no changes to the sign's original design as specified in the sign permit. Any changes, beyond routine maintenance, to an existing sign must be made compliant with this ordinance and will require that the sign is re-permitted or the sign will be considered illegal and removed either by the owner or the Town of Mercer with the owner being billed.
- 1.4 Earthtoned colors for sign background are required on all off premise signs with the exception of way finding signs. Fluorescent colors, blaze orange, glitter, sparkles, or flashing lights, beacons, or reflective materials for the sign background, lettering, and/or trim are prohibited. Lettering may be of any other color except as noted above. White and yellow are not permitted as a sign background color, but may be used for lettering.
 - ▶ Exception: White must be used as a background color on Way finding Signs
- 1.5 Externally lit off-premise and on-premise signs are permissible where the source of light is designed and located in a manner that shields direct view of the light source from a highway driver and it is shielded above from illuminating the night sky. This can be accomplished by using hoods (on or around the light), landscaping that shields the light source, or light placement that directs illumination onto the sign only.

- 1.6 No part of a sign or sign structure shall exceed 20 feet above the ground's surface.
- 1.7 The sign structures are the posts, poles, or materials used to support a sign. Sign structures must be a solid earthtone color or constructed of natural materials such as logs, stone, wood. Barber-poled striped, non-earthtone colored, and/or reflective materials or advertising used on supports are not permitted.
- a) No more than one sign, incorporating a maximum of two sign faces, may be erected for each sign structure.
 - ▶ Exception: Wayfinding signs: more than two wayfinding sign faces are permitted per each wayfinding sign structure.
 - b) "V-shaped" sign structures, where a maximum of two signs are erected at a single location on two structures are permitted as long as the angle between the two structures does not exceed 90-degrees. V-shaped signs, shall be counted as 2 signs with a total of two sign faces.
- 1.8 Prohibited signs in the Town of Mercer include:
- a) Roof signs that are placed upon, project from, or are erected above the eaves of the roof or incorporated into the roof itself.
 - b) Billboards, defined as by any sign or aggregate of signs sharing the same sign face whose dimension is greater than 32 sq. ft. in size.
 - c) Signs that exceed a 32 sq. ft. dimension.
 - d) "Advertising vehicles or trailers" (where a vehicle is used as an advertising display) parked on the public right-of-way (ROW) or on private property as to be seen from the public ROW.
 - e) Signs resembling highway traffic signs or signals or which contain the word "stop," "go slow," "caution," "danger," "warning" or other such wording that could confuse a motorist.
 - f) Posting of bills, posters, placards, and circulars within the public ROW or on public property.
 - g) Signs which all or parts thereof revolve, flash, blink, or incorporate moving or rotating lights with the exception of devices that inform the public of the time & temperature.
 - h) Lights, or other illuminated devices, producing any type of motion.

- 1.9 Sign structures may not be erected in the right-of-way nor any closer than 33 ft. from a roadway centerline whichever is greater.
- 1.10 May not be erected with the primary intent of its advertising being directed at the users of any navigable waterway.
- 1.11 Franchise signs are permitted as long as the requirements of this sign ordinance are met.
- 1.12 A sign will be considered abandoned and subject to removal, 90 days after the adoption of this ordinance, if it:
 - a) Advertises a business which has ceased operation for a period of one year
 - b) The sign's advertising space remains vacant of an advertising message for a period of one year
 - c) Signs that have not obtained a permit according to the requirements of this ordinance
- 1.13 The posting of any sign to a tree or the use of a tree as a sign post is prohibited.
 - ▶ Exception: "No trespassing signs", "closed area", "game farm", or "tree farm" signs which are in conformity with Wisconsin Statutes.
- 1.14 All types of ice fishing shelters used on any lake in the Town of Mercer are prohibited from displaying any information other than the mandatory minimum required by the WDNR.

2. **WAY FINDING SIGNS:**

Are defined as signs used only for finding direction to a business or residence. Wayfinding signs may not include advertising.

- 2.1 Way finding signs, with the exception of recreation trail way finding signs, must be the white arrow type sign whose dimensions and design are consistent with state standards, as specified in WisDOT Chap. Trans. 200. (see Appendix A for these state standards)
- 2.2 Way finding signs, located on roads other than state or federal highways, are permitted for both businesses and private residences.
- 2.3 Way finding signs may only be erected at intersections of state, county and/or town roads. A business will be allowed a maximum of one sign for each direction of travel at each intersection. White arrow signs will be grouped into sign assemblies that arrange signs from the top of the mounting posts to the bottom. Where travel is in two directions, two sign assemblies will be necessary with like

directional signs grouped together on each assembly to indicate travel in the appropriate direction.

- 2.4 Illumination, or the use of reflectors, reflective tape or paint, on way finding signs is not permitted
- 2.5 Advertising may not be included on way finding signs.
- 2.6 Recreational Trail Way finding signs, used on snowmobile trails or other recreational trails, must conform to state trail marker standards, but are not to exceed 6" x 24" in size. No Town permit is required for these signs.

3. OFF PREMISES ADVERTISING SIGNS

Are defined as advertising signs located outside the contiguous parcel of land that is owned by the business it advertises.

- 3.1 A maximum of two (2) off-premise permanent signs, advertising products or services, are permitted for each business establishment.
- 3.2 Off-premise advertising sign structures must be spaced at least 300 feet from any other sign, except for on-premises, way finding, or official signs, located on either side of the highway.
- 3.3 Each off premise advertising sign may have an advertising space no greater than 32 sq. ft. in aggregate, including the border and trim, but exclusive of supports. Only two sign faces are permitted per sign structure.
 - a) Multiple smaller signs may be incorporated within a single sign face, but will be subject to the 32 sq. ft. maximum sq. footage requirements. Neither the length nor the width of any off-premise sign shall exceed 8 ft.
- 3.4 The background color for any internally illuminated off premise signs must be earthtoned. White is not permitted as a background color.

4. ON PREMISE SIGNS

Are defined as those signs located on the principal site where the business activity specified on the sign is normally conducted. See chart for design requirements and numbers of on premise signs that are allowed.

- 4.1 Sign permits for on-premise exterior advertising signs are required, but shall be issued free of charge.
 - Exception: "Occupational Signs" denoting only the name and profession of an occupant in a dwelling, commercial building, or institutional building and "Business Directory" signs that only list the services, hours of operation, or menus offered within a building shall not be required to obtain a permit provided that they are no more than 2

sq. ft. in size and located in such a manner to be visible from the nearest public right-of-way

- 4.2 Floodlighting a building, where floodlights are used to up-light the exterior walls, is not permitted.
- 4.3 Fluorescent colors, blaze orange, glitter, sparkles, flashing lights, beacons, or reflective material for sign background, lettering, and/or trim are not permitted.
 - a) The use of earthtoned colors for on-premise signs is strongly encouraged.
- 4.4 Internally Illuminated Signs
 - a) A maximum of 3 internally illuminated sign faces are allowed per business and must be located on the business's primary premise.
 - b) May not be erected with the primary intent of being directed at the users of any navigable waterway.
 - c) The background color for all internally illuminated signs must be earthtoned. White is not permitted as a background color.
- 4.5 Internally illuminated vending machines, arcade machines, mechanical rides, and mechanical amusement devices shall not be viewable from the public right-of-way or a navigable waterway.
- 4.6 Illuminated Canopies: Translucent canopies attached to a building's facade, if internally lit, will be considered an internally lit advertising sign. Illuminated canopies must be earthtoned in color. White is not permitted as a background color.
- 4.7 Awnings: Awnings that are not illuminated, and serve the function of providing protection from the weather or sun, shall not be considered a sign. Only the name of the on-premise business may only be printed on awnings without a sign permit.
- 4.8 Neon Signs: Are encouraged as on-premise advertising signs as long as the neon sign complies with requirements of this ordinance.
 - ▶ Exception: Neon, externally illuminated, or non-illuminated signs that state the following messages: "No Vacancy", "Vacancy", "Closed", and "Open", "Immediate Seating", are not considered an advertising sign and are not subject to on-premise advertising sign requirements as long as the sign does not exceed 3 square feet:
- 4.9 Caricatures, Statues: Shall only be permitted on the premise of the business that the caricature advertises providing that no dimension shall exceed 7 ft. with a maximum cubic footage of 63 cu. ft. They will be earthtone in color and/or

constructed of wooden, stone, or other natural materials. They may not incorporate any flashing lights, beacons, reflective materials, glitter, or sparkles.

- ▶ Exception: The official Mercer Loon statue is permanently exempt from this requirement.

5. TEMPORARY SIGNS

Signs that comply with the following requirements, shall not require a sign permit:

- 5.1 Special Event Signs: That advertise a one time per year event, campaign, or activity that will occur within 30 days of the sign being erected must be removed within 1 week of the completion of the activity they are promoting.
- 5.2 Job-site Construction Site Signs: Denoting owners, occupants, architect, engineer, or contractors of improvements under construction must be located on the job site and may not exceed 32 sq. ft. in size. They must be removed upon completion of the construction.
- 5.3 Real Estate Signs: Are not to exceed 8 sq. ft. in area which advertises the sale, rental, or lease of the premises upon which the said signs are temporarily located.
- 5.4 Seasonal or Holiday Decorations: Providing they are removed within 60 days after the initial posting.
- 5.5 Political Signs: Signs conveying a political message for a public election or a referendum sign shall not exceed 32 sq. ft. in size and will be removed with 7 days of following the election or referendum.
- 5.6 Banners, Bunting or Flagging: May be displayed on the exterior of a commercial or public building two weeks prior to and one week after a commercial business's official grand opening or a recognized community event. Banners and signs furnished by beer wholesalers to Class B licensees are prohibited by Wisconsin State Statutes 125.33 (1) and (2) from being displayed outside of these businesses.
 - ▶ Exception: Protective flagging for septic systems and other areas that require marking for reasons of health, safety, or general welfare is exempt.
- 5.7 Flags: The maximum height of any flagpole will be 20 feet. The maximum number flagpoles allowed per business is 1 flagpole. The display of flags is permitted, but flags may be no greater than 3 ft. X 5 ft in total size. No more than two flags may be displayed from any one flagpole at the same time.

- ▶ Exceptions: i. There is no limit to the size of any American flag being displayed.
- ii. Government buildings/property (school, town hall, park, state buildings) are exempt from flagpole height restrictions and the number of official flags (such as federal, state, POW/MIA flags) that may be displayed at any one time.

5.8 Circulars, Political Advertisements, Special Event Notices, Placards: The posting of circulars, political advertisements, special event promotions, placards on trees, traffic sign posts, and utility poles are prohibited. The person(s) erecting these signs must provide their own post and remove this type of sign within 7 days of the completion of the event it promotes.

APPENDIX A

TOOLS IN ADDITION TO ZONING AND SUBDIVISION CONTROLS

There are other tools available for the implementation of land use goals and policies. These include design guidelines and review, site plan review, official mapping, building and sanitary codes, mobile home ordinances, and others. The Town of Mercer already has many of these tools in place by virtue of the Iron County Comprehensive Zoning Ordinance, while others are in development. The Town has a building permit system and a cooperation process with the Iron County Zoning Department and Committee for concurrent review of conditional use permits, plats, certified surveys, and land divisions. Other town ordinances control access onto town roads from private roads or drives and establish standards and rules for the acceptance of private roads into the town road system. Following is a more comprehensive list of implementation tools.

Privately Initiated Tools:

Bargain Sale: The sale of land to a conservation organization at less than market value.

Conservation Easement: A legal agreement between a landowner and a qualified conservation overseer that protects the natural or historic features of a property.

Land Trust: A private, non profit organization that protects natural and cultural resources through conservation easements, land acquisition, and education.

Limited Development: The development of one portion of a property to finance the protection of another portion.

Outright Donation: The donation of land to a conservation organization.

Agricultural District: A legal designation that allows qualifying farmers various types of credits if farming is continued on the land.

Conservation Reserve: A program that pays farmers to convert erodible cropland to vegetative cover.

Current Agricultural Use Value: A program that calculates farmland value based on soil type and product markets, rather than on development values, thereby reducing taxes on agricultural land.

Forest Tax: A program that reduces property taxes if the owner maintains approved forest management practices on the land.

Special Designation (Individual): State and federal programs that provide recognition of and limited legal protection for sites of natural or cultural significance.

Wetlands Reserve Program: Federal and state administered program to restore the functions and values of wetlands through payments to farmers to rebuild and preserve existing eligible farmed wetlands.

Publicly Initiated Tools

Acquisition:

Intermodal Surface Transportation Efficiency Act: A section in this federal transportation act provides government funding for scenic, environmental, and historic preservation along the nation's transportation corridors.

Land & Water Conservation Fund: A matching fund program to expand and improve public outdoor recreation areas.

Land Banking: The obtaining, holding, and subsequent release of lands by a local government for controlled development or for conservation purposes.

Outright Purchase: The acquisition of lakeshores, river corridors, or other lands by government organizations for the benefit of the public.

Purchase of Development Rights: A government initiative that acquires the development rights to farmland in order to keep it in agricultural use.

Zoning Ordinances & Regulations:

Zoning: A land use ordinance or resolution passed by a local government to protect the health, welfare, and safety of its residents.

Agricultural Zoning: A method for protecting agricultural land use by stipulating minimum lot sizes or limitations on non farm uses.

Cluster Development: A plan which concentrates on one part of a property in order to protect the remainder of the parcel as open space without changing the overall density of the development.

Large Lot Zoning: A requirement that each new house be constructed on a minimum number of acres, generally at least 5 or more.

Overlay Zoning: An overlay of additional land use restrictions on top of existing ones to protect specific resources such as reservoirs and historic districts.

Performance Zoning: A requirement that any new development be reviewed based on its projected impact on specific features of the community, such as farming, traffic flow, and stormwater management.

Planned Unit Development: A plan similar to cluster development, but that allows commercial units along with the dwelling units.

Quarter/Quarter Zoning: A specification that limits non farm development to one house per 40 acres, that is, 1/4 of 1/4 of the original 640 acre tract.

Sliding Scale Zoning: The enactment of a ratio of dwelling units to land acreage that concentrates development on smaller lots by increasing the minimum lot size for houses built on larger parcels.

Special Protection and Conservation Regulations:

Capital Improvement Programming: The scheduling of budgetary expenditures for infrastructure, thereby guiding and pacing development.

Cooperative Agreement: An agreement between two or more organizations to share in financing, maintaining, or managing a property.

Development (or Phased) Timing: The use of a combination of public spending and permitting techniques to pace and forecast growth.

Environmental Impact Ordinance: An assessment of the potential harmful effects of a pending development upon the environment so that steps to prevent damage can be taken before the project begins.

Impact Fees and Exactions: Fees or infrastructure improvements requirements from a developer to offset the cost of new development.

Moratoria: Legal actions that temporarily freeze development so that adequate planning and follow-up ordinances can be put into place.

Special Designation (Government): The protection of scenic river corridors and other valuable resources through state or federal recognition and technical assistance.

Subdivision Regulations: Design standards for street widths, setbacks, open space, and other features to ensure livability in new subdivisions.

Transfer of Development Rights: A technique for guiding growth away from sensitive resources and toward areas that can handle it through the transfer of development rights from one area to another.

APPENDIX B

SIGN DEFINITIONS:

Appearance: The outward aspects of the development that are visible to the public and adjacent properties.

Banner: Is a sign that is of a non-rigid material such as fabric, paper, cardboard, paper, or flexible material.

Billboard: Any sign face that exceeds 32 sq. ft.

Buffer: A dense planting of spruce and/or balsam trees which are a minimum of 4-6 feet at time of planting and will mature to sufficient size to screen the object being buffered. Buffer strips will be a minimum of 15 feet in depth.

Business Directory Signs: Signs that list the services, hours of operation, or menus offered within a business premise.

Canopies: Translucent canopies attached to a building's facade, if internally lit will be considered an on-premise advertising sign.

Clustered Commercial Highway Development: A development pattern where buildings and parking are grouped or "clustered", sharing a common access to a main public roadway, rather than being spread out evenly along that roadway in a linear pattern.

Design Assessment Photos: These are photos taken by the Mercer Northwoods Design Team, an citizen committee appointed by the Mercer Town Board, which visually depict the positive attributes of northwoods architectural, site design, landscaping, and sign design that will enhance Mercer's northwoods character as well as those characteristics that would detract from it.

Design Review Committee: A committee, appointed by the Mercer Town Board, assigned the responsibility to conduct northwoods design review.

Earthtone Colors: Any color that is a shade of the land including: brown, tan, terra cotta, gray or black color, maroon, blues, and greens. Earthtone colors do not include white, florescent color shades, reflective metallic colors, primary red or yellow, blaze orange.

Franchise Signs: Signs that adhere it to the standardized corporate design standards of color, height, shape, and size that are duplicated in communities anywhere that franchise is established.

Free Standing Signs: The general term for any on-site sign which is supported from the ground and not attached to a building. They may be anchored to the ground using natural materials or attached to a pole(s). Wheeled or "portable" signs are considered free standing signs.

Green Space: An undeveloped non-traffic area reserved exclusively for continued support of both new and existing plant life. Site design standards that require a "green space" mean that

there will be a minimum of 1 tree and 1 shrub planted per every 15 foot of linear frontage. Retention of natural trees and shrubs in green space areas is encouraged. Products or merchandizing are not permitted in the green space.

Illegal Sign: Any sign in violation of Wisconsin Dept. of Transportation regulations.

Illuminated Sign: A sign illuminated in any manner by an artificial light source, whether illuminated from an external source or internally lit.

Legal Non-conforming Sign: A sign or sign structure, erected prior to the adoption of this ordinance, that complies with DOT sign requirements, but does not fully comply with the standards set forth in the Town of Mercer sign ordinance. These signs shall be required to fully comply with the requirements of this ordinance within 5 years of the date this ordinance is enacted.

Portable Sign: A sign not permanently affixed to a building structure, or the ground.

Sign: Any device situated outdoors that displays letters, characters, or graphics to identify a land use or attract the public's attention.

Political Sign: Any sign concerned with, engaged in, or advertising a political party, candidate, government agency, or political cause.

Northwoods Character: The feeling associated with northern Wisconsin communities based on their unique identity, history, and association with their natural environment. The visual attributes of northwoods character have been defined for the Town of Mercer in the visual analysis as defined by the Mercer Northwoods Design photoboards and this ordinance.

Projecting Signs: Are signs that are fastened to, suspended from, or supported by structures from the building and located perpendicular or at an angle to the building.

Occupational Signs: Signs that denote only the name and profession of an occupant in a dwelling, commercial building, or institutional building.

Off Premise Advertising Signs: Advertising signs located outside the contiguous parcel of land that is owned by the business it advertises.

On Premise Advertising Signs: Advertising signs located on the principal site where the business activity specified in the sign is normally conducted.

Site Design and Maintenance Plan: A plan prepared to scale showing accurately and with complete dimensions and boundaries of the site in relationship to roadways, neighboring parcels, location of all buildings, architectural design and color, uses for the structures, and the principal landscaping and design features proposed for the parcel. The plan will include a description of landscaping to be used and a schedule for establishing and maintaining it.

Strip Development: A linear strip of development which extends along the properties adjacent to public roadways and extending inward for one parcel; generally includes excessive signage, franchise or uncoordinated architectural design, and paved rather than natural landscaped surfaces.

Wall Signs: Are signs attached flat against the exterior wall(s) of a building and not extend more than 6 inches outside the building's wall surface or signs painted directly on the surface of the wall.

Wayfinding Signs: Are the "white arrow" signs used only for finding direction to a business or residence.

PERMITTED ON-PREMIS SIGNS

ILLUMINATED CANOPY

Total # Permitted Per Business Premise 2 signs, each with 2 sign faces 1 sign with 1 face No limit as long as square footage of advertising on all canopies does not exceed 16 sq. ft.

Total Max. Sq. Ft. (per sign face) 32 sq. ft. 16 sq. ft. 10% of the building face on which it is mounted or a maximum of 200 sq. ft. whichever is less.

Max. Height 20 ft. 20 ft. from mean centerline street grade 8 ft. minimum height above public/pedestrian ROW

Color: The use of fluorescent colors, blaze orange, glitter, sparkle, flashing lights, beacons, or reflective materials for on-premise advertising sign background, lettering, or trim are prohibited. The use of earthtoned colors is strongly encouraged.

Lighting: Internally lit signs may be free standing, projecting, wall or canopy signs. Of the total allowable on-premise signs allowed, a maximum of 3 sign faces, not to exceed 32 sq. ft. may be internally lit. White is not permitted as a background color for internally lit signs or internally lit canopies. Neon signs are encouraged as either free standing, projecting, wall signs as long as they fall within the requirements for those signs. Exterior building silhouette lighting is only permitted in neon lighting and may only be applied to the building eaves.

DEFINITIONS & ADDITIONAL REQUIREMENTS

Free Standing Signs: Are signs not attached to a building. They may be anchored to the ground using natural materials or attached to a pole(s). Wheeled or "portable" signs are considered free standing signs.

Projecting Signs: Are signs that are fastened to, suspended from, or supported by structures from the building and located perpendicular or at an angle to the building. In addition to the requirements above, projecting signs shall not: ▶ Exceed into any public right-of-way ▶ Be located less than 10 feet from all sidelots ▶ Exceed a height of 20 feet from the mean centerline street grade ▶ Be less than 10 feet above the sidewalk nor 15 feet above a driveway or alley

Wall Signs: Are signs attached flat against the exterior wall of a building and do not extend more than 6 inches outside the building's wall surface or are painted directly on the wall surface. Wall signs that are mounted on a corner of a building, and attached to two sides of that building, may only be as large as 10% of one of the two facades on which it is mounted up to a maximum of 200 sq. ft. whichever is less.

Canopies: Translucent canopies attached to a building's facade, if internally lit, will be considered an on-premise advertising sign.