

Fostering Public Engagement in Local Land Use Planning and Zoning Recodification Projects: A Case Study from the University of Wisconsin–Extension, Lincoln County

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Abstract

This study outlines the processes used by University of Wisconsin–Extension, Lincoln County (UWELC), educators over an eight-year period to facilitate the development of a county land use plan and to guide committees through a review of the new proposed county zoning ordinances based on that plan. As a partner in these projects, UWELC helped create a model of public participation for other counties and municipalities conducting land use planning based on Wisconsin’s comprehensive planning law passed in October 1999. UWELC educators drew on the expertise of University of Wisconsin system faculty based outside Lincoln County to provide information about land use and zoning issues.

Introduction

Land use planning and zoning revisions are among the most controversial and complicated projects any local government can undertake. It is at best extremely difficult to balance individual property owners’ rights with economic development and, as is important in many localities, the preservation of open spaces. Although residents want these things, they have an aversion to planning because they are often uncomfortable with the change it may represent. Residents also sometimes believe that land use planning and the zoning revisions that follow are being forced upon localities by the state or some other entity. All these issues and more were at play during the years that Lincoln County, Wisconsin, worked to develop a new land use plan and zoning ordinances. It is to the credit of its residents, government officials, business owners, and other stakeholders that most of the controversial arguments against planning were overcome.

Land Use Planning in Wisconsin: Providing Context for the Lincoln County Story

Much has been written over the last few years about land use planning in Wisconsin. Literature on the subject began to surface in the late 1990s as the state legislature started seriously debating the merits of a comprehensive planning law. In October 1999 the legislature passed a law mandating that local governments develop plans by January 2010, and subsequent literature has focused on how it affects land use planning efforts. Previously, Wisconsin's local governments were not required to engage in land use planning. Only 29 percent of local governments in the state had a land use plan of any kind, and most of those were outdated. Lincoln County and each of its sixteen towns were among those local governments lacking plans. After January 2010, Wisconsin may have over 1,900 land use plans, more than any other state in the country (*Ohm 2005, 227*).

The legislation encouraged local governments to create economic development projects that promote smart growth tenets like mixed-use neighborhoods, pedestrian-friendly downtowns, and the preservation of open spaces (Smart Growth Network). It also recommended that planning address nine core elements: issues and opportunities in land use planning, housing, transportation, utilities and community facilities, agricultural/natural/cultural resources, economic development, intergovernmental cooperation, land use, and plan implementation. The law also required public participation in planning processes (*Ohm 2001*).

The law has been challenged several times, primarily by rural legislators, who argue that it eliminates local control over land use. The most notable challenge came in spring 2005 when the state's Joint Finance Committee voted to eliminate grant funding for local governments hoping to create plans based on the law. If passed by the full legislature, this measure would have led to the law's outright repeal. As part of 2006–2007 budget deliberations, the governor vetoed the request, calling the repeal attempt “senseless” and emphasizing that “smart growth is not a mandate from Madison” (*Friedrich 2006, 2*).

Local government reaction to the legislation continues to be mixed. As of mid-2004 nearly 140 local governments had adopted land use plans (*Ohm 2005, 228*). Many of those plans, although they included the nine elements, did not conform to traditional smart growth tenets (*Haines and Edwards 2005*). Local governments are still finding it difficult to overcome planning obstacles

that confront many communities throughout the country, such as limited financial resources, time constraints, inexperience in conducting planning, public apathy, and politicization of planning processes (*Roberts and Tang 2004, 3; McLeod et al. 2003*). Legislators still periodically seek to repeal the law, arguing that it represents an underfunded state mandate that weakens local control over development decisions.

University of Wisconsin–Extension’s Role in Land Use Planning

Since most localities in Wisconsin before late 1999 were unfamiliar with comprehensive land use planning, finding ways to engage the public in planning processes quickly became a high priority. With a mission of helping Wisconsinites apply university research, knowledge, and resources to meet educational needs wherever they live and work,¹ UW–Extension was the logical entity to take the lead in working with communities on land use planning. Extension developed fact sheets, a comprehensive planning Web site, planning guides, and model development ordinances, and began working with several local governments to design and facilitate land use planning processes (*Ohm 2005, 227, 228*). Because Lincoln was the first Wisconsin county to complete a comprehensive plan based on the state legislation (and on several smart growth tenets), its project can serve as a model for other local governments attempting to complete plans and to revise zoning ordinances.

Justification for Land Use Planning in Lincoln County

Why did Lincoln County decide to develop a comprehensive land use plan? None had ever been done, so there was no precedent for engaging in such an arduous process. The specific reasons for setting a new land use planning precedent were compelling.

Lincoln County residents were concerned about unplanned development from the Wausau, Wisconsin, area creeping northward and posing a threat to the county’s pristine Northwoods and Wisconsin River scenery. The influence of Wausau and its booming growth was represented by the 1994 completion of a strip mall anchored by a Wal-Mart just off the highway in the county seat of Merrill. This effectively established a third shopping area in Merrill (population 10,147; home to about one-third of the county’s residents), which helped draw consumers from the downtown

business district and from another cluster of mom-and-pop retail establishments in the western part of town.

Some were uneasy about farmland being sold to developers. Even though only about 17 percent of the county's acreage was devoted to farming operations, residents were concerned about the trend of farmland being subdivided throughout much of the Midwest. Farmland, they believed, lent just as much to the natural beauty of the county as its forests, lakes, and streams. Pressures to preserve farmland rose as land values in the county steadily increased throughout the 1990s. In that decade, the number of acres per year being sold increased steadily from 201 to 1,144 (*Cadwallader 2003*). Property taxes also rose precipitously, forcing some farmers to sell and persuading many citizens that more businesses should be attracted to help relieve farm and residential tax burdens.

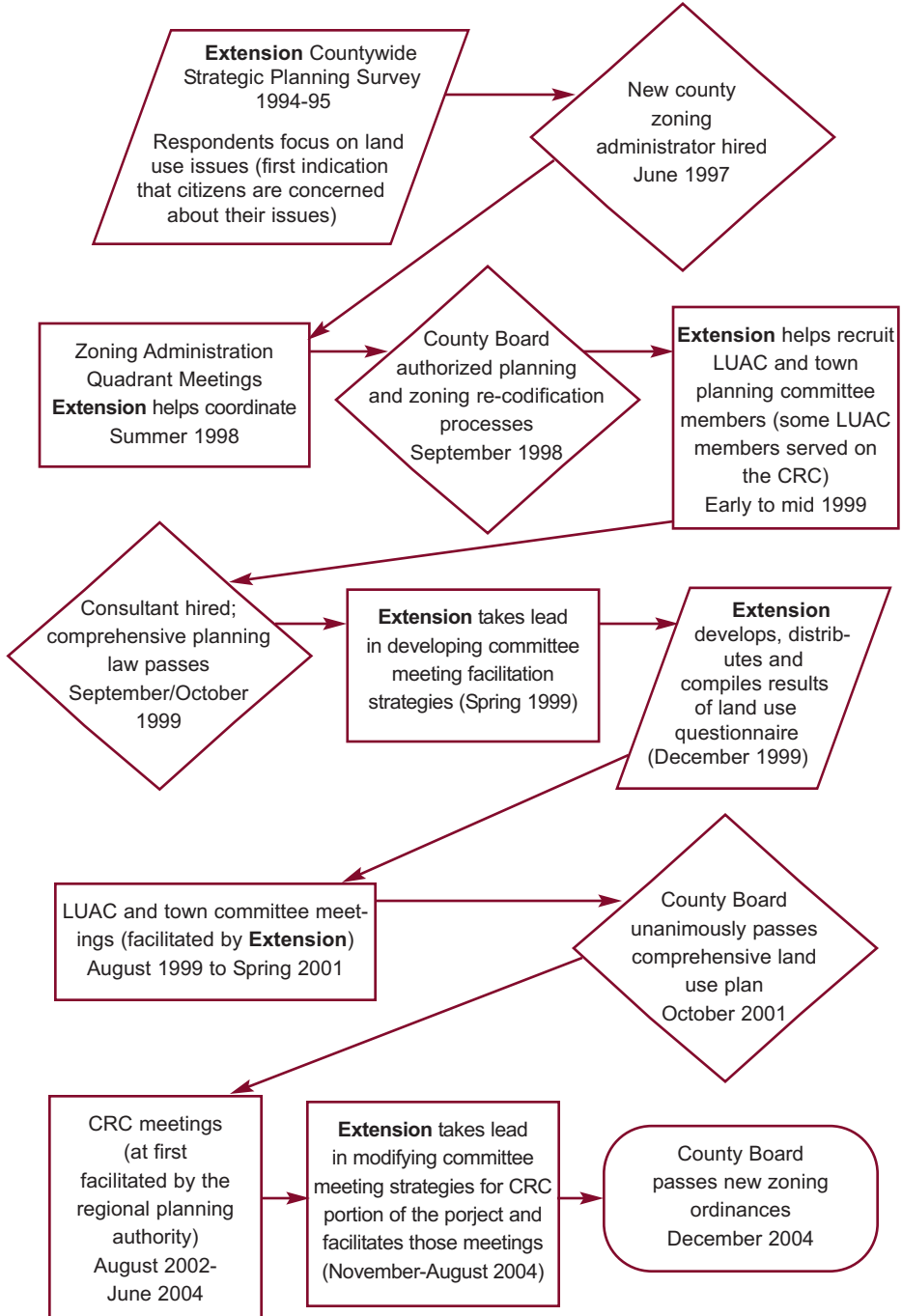
Further impetus for countywide planning was provided by Merrill, which had completed its own comprehensive plan in 1996. Using this example, several towns began work on comprehensive plans about the same time, persuading some local stakeholders that a uniform county strategy based on the best elements of town plans was needed to prevent haphazard development. And, although Lincoln County's planning decision was made before it passed, the state law reinforced the notion among key stakeholders that planning was necessary.

Lincoln County Extension Begins Work

It was under these circumstances that the county began discussing in the mid 1990s the possibility of developing a countywide land use plan. The first step to discern public attitudes about land use planning was taken by UWELC educators. (See figure 1 for a flowchart highlighting Extension's role in the planning and zoning recodification process).

In late 1994, Extension conducted a countywide strategic planning survey (*Cadwallader 1995*). The questionnaire was sent to 139 elected officials, primarily town chairpersons and county supervisors, and other citizens representing a broad cross-section of the county's population. Much of the input provided by the 110 respondents (80% return rate) focused on land use issues. Half of the 727 comments indicated a desire for long-range planning to promote controlled growth or advocated for the preservation of natural resources.

Figure 1: Land use planning and zoning recodification process flowchart with Extension roles highlighted.



One person expressed the feelings of many respondents when he suggested that the county “provide more orderly growth and development—not homes or businesses in every patch of woods.” Another felt that emphasis should be placed on “managing the orderly growth of the county’s cities to permit and promote economic growth and protect [the] environment.” Comments reflected a strong desire to preserve open spaces. A respondent wrote that there must be “preservation of wildlife, forests, lakes, [and] parks.” Another pointed out that “our natural environment [is experiencing] increased population pressures, especially [as new highways in the area] make it easier and more palatable for people to live and travel up North.”

These comments indicated to UWELC that the public was beginning to think more about land use planning and that it was time to provide additional information on the subject. UWELC educators next proposed that public forums be held to discuss the prospect of conducting countywide land use planning. At the resulting meetings (late summer of 1998), 82 percent of 131 people who chose to vote on the topic favored developing a countywide plan (*Miller 2004*). Prompted by this informal vote and the empirical evidence found in the 1995 survey, the County Board passed a resolution in September 1998 by a 20 to 2 vote instructing the zoning office to organize and implement a land use planning project. The resolution implied that the zoning office and its partners would help each town complete a plan and that those plans would form the basis of a countywide land use strategy. A land use planning consultant was hired, and the zoning office asked Extension to take the lead in the public participation aspects of the project.

Extension Becomes a Partner

Next, UWELC educators began helping recruit public officials and other stakeholders to serve on the various land use planning and review committees, including both the county Land Use Advisory Committee (LUAC) and Code Review Committee (CRC). The LUAC was charged with reviewing draft countywide land use plans. It was instrumental in ensuring that town plans were integrated into the county plan. The CRC reviewed drafts and eventually approved new zoning ordinances based on the county plan.

Committee membership included residents, town board/planning commission members, county supervisors, city officials, and economic development professionals. Several people served on

both county and township committees. Emphasis was placed on recruiting representative individuals who could provide various perspectives on land use. UWELC educators convinced the zoning administrator and the planning consultant that recruiting people from as broad a cross-section of the population as possible would help legitimize the public's role, which would make county supervisors more likely to support the new plan and zoning changes.

Another important contribution from UWELC was the development of effective facilitation methods that stressed consensus building. Although vital, the actual facilitation by UWELC educators of over sixty meetings seemed less significant than the strategies they created to make them productive. Many hours were spent in plenary sessions obtaining views from partners about facilitation strategy and providing advice about how committee meetings should be conducted.

Specific examples of facilitation and conflict management techniques that were utilized included consensus building, "parking lot" lists for questions that needed more research or were too contentious to deal with immediately, voting on sections of proposed zoning codes, and agendas with time limits. These devices helped keep committee members focused and improved the pace of meetings, which was especially crucial since project deadlines existed. Ground rules developed by the educators and the committees were reviewed before every meeting, helping to keep discussions congenial. Facilitators constantly reminded committee members that they must think of the "big picture" (i.e., countywide planning) rather than focus on their own personal property concerns. Facilitators' success in promoting these strategies helped committees develop and approve plans and ordinances that met the needs of the county, towns, committee members, and their neighbors. Without Extension involvement, without its experience in gathering highly useful information from the public, it is likely that citizen input during the Lincoln County project would have been severely lacking.

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More Public Support for Planning in Its Early Stages

The agricultural and community development educators representing UWELC increased their involvement in the land use planning and zoning recode projects by authoring and compiling the results of a December 1999 general land use attitude survey (Cadwallader 2000). The survey was designed chiefly to learn in more detail what attitudes farmers and their nonfarming neighbors held toward land use planning. Of the 530 surveys that were mailed, 323 (61% return rate) were completed.

When asked whether they disagreed or agreed with the statement “Local governments should play more of a role in land use planning,” 45 percent of the respondents agreed or strongly agreed; another 19 percent indicated that they were neutral on the subject. On the statement “I am the most qualified person to decide what should be done with my land,” 68 percent of respondents agreed or strongly agreed, effectively conveying their strong interest in preventing anyone from infringing their personal property rights (see figures 2a and 2b summarizing results). Farmers’ responses were more varied than those given by rural nonfarmers, indicating some mixed feelings about planning. These results, although signifying some interest in planning,

Figure 2. Lincoln County land use attitude study.

Figure 2a. Summarizes attitudes toward the role of government in land use planning.

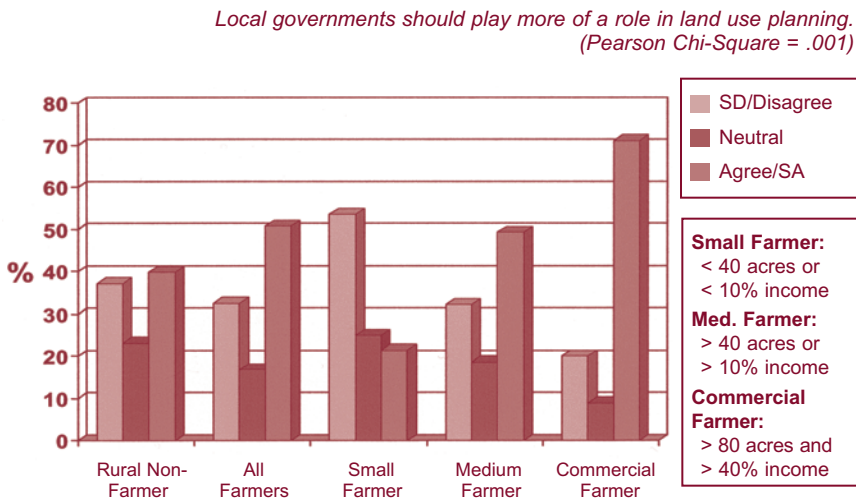
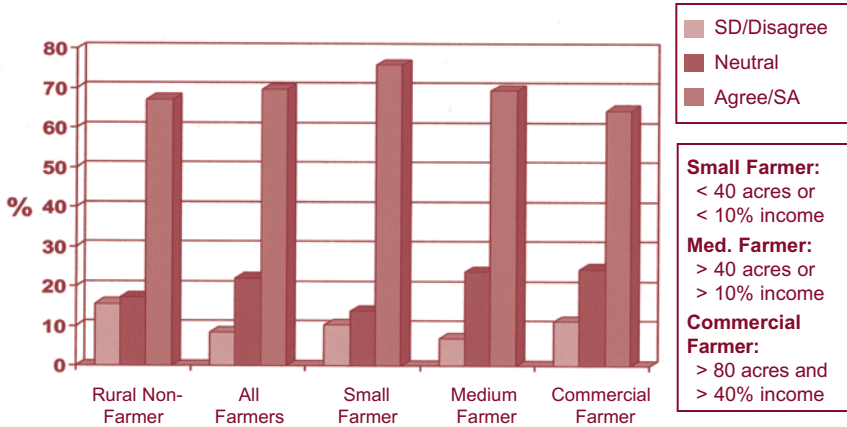


Figure 2b. Gauges how much respondents felt they were qualified to decide what should be done with their land.

I am the most qualified person to decide what should be done with my land.
(Pearson Chi-Square = .479)

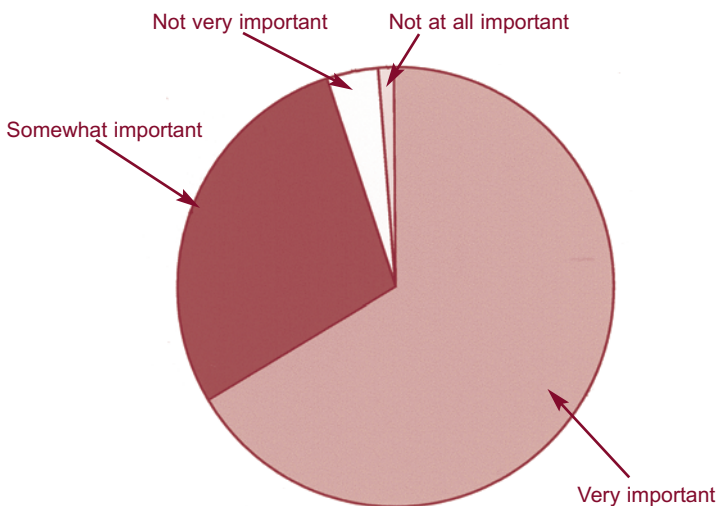


were inconclusive at best, prompting the development and distribution of another questionnaire.

That research project was undertaken in January 2000 by the planning consultant, with UWELC providing input on question design. The survey asked respondents about their opinions of existing land use conditions and growth and development issues (Davis and Roffers 2001, 59–67). It was mailed to a random sample of 2,000 households throughout the county, and 42 percent returned completed surveys. There was a 3 percent margin of error, meaning that if 70 percent of the respondents said that they strongly agreed with the idea that Lincoln County should remain mostly rural, one could be 67 to 73 percent confident that all households would have the same opinion. Of the 844 households responding, 95 percent stated that the county needed more well-paid jobs, implying desire for further economic development. In contrast, 96 percent of respondents felt that it was either somewhat important or very important for the county to retain its rural character. (See figure 3 for a breakdown of responses to the rural character question.)

In addition to a desire for meaningful economic development to occur along with preservation of natural resources, the results revealed another contradictory attitude. Responses indicated that

Figure 3. Pie chart showing the breakdown of responses to the question “How important is it to retain the county’s rural character in the future?” (percentages rounded to nearest whole number).



Source: Based on Davis and Roffers 2001.

residents wished to maintain their personal property rights but supported applying more stringent land use regulations elsewhere in the county. These contradictions reinforced the notion that comprehensive land use planning and new zoning regulations were needed to help reconcile such dichotomous forces. The results also implied that land use planning could help clarify how to grow the economy while maintaining the county's Northwoods character.

UWELC Provides Access to Experts from the University of Wisconsin System

UWELC utilized Extension expertise from around the state. Since Lincoln was the first Wisconsin county to attempt to develop a land use plan and one of the first to create zoning ordinances based on state comprehensive planning law requirements, UWELC educators and state faculty who worked on the project set useful precedents that would subsequently be utilized by other Wisconsin counties and townships. They experimented with what could and could not be done from a development standpoint based on state requirements.

Evaluation specialists from the UW–Madison College of Agricultural and Life Sciences (CALS) Communication Department helped UWELC educators develop and interpret results of the December 1999 land use attitude survey. They also helped develop evaluations that measured the effectiveness of facilitation techniques used during CRC meetings. A land information and computer graphics specialist from the same department helped the county zoning and land conservation departments create GIS (graphic information systems) resources that proved instrumental during planning phases.

Two other faculty members, one based at the UW–Stevens Point College of Natural Resources and another at CALS, conducted training sessions in the county. The Natural Resources Department faculty member provided county residents and stakeholders with an overview of planning and zoning policy relevant to the project. The CALS professor spoke about community rights in relation to shaping local land use policy, especially those provisions that addressed how far the county or town could go in persuading private property

“Education was provided on the state’s comprehensive planning law and the nine land use elements that the legislation incorporated.”

owners that beautifying their land could enhance the usefulness of surrounding properties. In addition, a professor with the UW–Madison College of Letters and Science, Urban and Regional Planning Department, advised Lincoln County stakeholders about smart growth law. During the early phases of the land use planning project, this individual helped write the state planning bill that eventually became law. His insights on preserving open spaces, housing issues, transportation, mixed-use development, and other smart growth tenets proved invaluable.

Bolstered by the expert advice of UW system colleagues, UWELC educators taught LUAC and CRC members important land use concepts. Education was provided on the state’s comprehensive planning law and the nine land use elements that the legislation incorporated. UWELC educators presented important theories regarding the protection of open spaces as an economic development tool. The agricultural educator provided the zoning office with specific advice about how many animal units to allow

per acre in various residential and rural zones, an often contentious issue that was becoming more heavily regulated by state statutes. He also taught residents about this at various public meetings. Perhaps most important, these educators helped show people how towns could work together and with the county to create and enforce plans and zoning ordinances that could positively affect on the county's development for years to come.

Extension's Effectiveness

Responses to evaluations designed and distributed by UWELC educators showed that they did a proficient job facilitating committee meetings (*Lersch 2004*). Fifteen of eighteen CRC participants completed evaluations immediately following their sessions. When asked how effective the overall productivity of CRC meetings was, 93 percent said either effective or extremely effective, and 87 percent indicated that the meetings were facilitated either effectively or completely effectively. Overall, the attitudes of most respondents were accurately reflected by a person who wrote, "The UW-Extension was very instrumental in working the meetings, and keeping the pace at a fast rate which was good." Higher praise was given by another respondent, who stated that "had we used this very effective facilitator from the onset, I believe there would have been much less frustration among committee members."²

A year after the project ended, another evaluation was completed by thirteen LUAC and CRC members (see table 1 for a summary of responses) (*Lersch and Vandre-Emerich 2005*). Although the return rate was somewhat low (22%), respondents' comments were highly informative. When asked, "What were some positive things Extension faculty did to increase the level of participation when they facilitated meetings?" one respondent wrote that the facilitators "stopped extraneous discussion when it was getting in the way of productive discussion" and that they "made sure no one person dominated meetings." Another said that having neutral facilitators "helped the process by adding a unique point of view; tried to remain somewhat objective within the stated goal and brought a level of education and expertise relative to environmental issues." These sentiments reflected the majority of respondents' attitudes toward how well they felt UWELC involved all committee members in discussions without allowing them to grandstand or filibuster.

Table 1. Responses to facilitation evaluation.

| Item and Response (Numbers Represent %) | Very Much | Much | Some | Little | Not At All |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------|------|--------|------------|
| To what extent do you feel facilitation services offered by Extension faculty helped to move project participants forward in development of comprehensive plan (and/or) zoning ordinances? | 33 | 26 | 33 | 8 | 0 |
| How satisfied were you with the participation of committee members during the LUAC and/or CRC meetings that were facilitated by Extension faculty? | 42 | 25 | 25 | 8 | 0 |
| To what extent do you feel that the information that Extension faculty provided you through educational programs, newsletters and one-on-one consultations helped you make decisions as the county comprehensive plans and/or December 2004 zoning ordinances were being developed? | 8 | 38 | 31 | 8 | 15 |
| Please rate the Extension faculty's ability to help you and the committees you were part of manage the conflicts that may have impeded progress toward completion of comprehensive land use plans and/or new zoning ordinances. | 31 | 39 | 15 | 15 | 0 |
| I would recommend UW-Extension faculty to other groups and/or individuals that are in need of advice or information to help them reach decisions about issues that have the potential of affecting Lincoln County residents. | 31 | 39 | 15 | 15 | 0 |
| I would recommend UW-Extension to facilitate groups that seek to reach decisions about issues that have the potential of affecting Lincoln County residents. | 46 | 39 | 15 | 0 | 0 |

Source: Based on Lersch and Vandre-Emerich 2005.

There was some difference of opinion on what Extension faculty might have done to manage conflict during committee meetings. One person stated, “Sometimes, I believe that facilitators in this type of process are too close to the issue by virtue of their presence in the community and therefore cannot separate easily from the conflict because of local values, etc.” Although there was not enough money available to hire outside facilitators, who might have maintained a more neutral approach, local facilitators may have had an advantage over nonlocals because in theory they knew the county better.

These for the most part positive results do not tell the full story of Extension’s effectiveness. Both the comprehensive plan and new zoning codes were passed easily by the County Board (20-0 and 17-4 respectively). This suggests that the public’s involvement through committee and community meetings, which Extension focused most of its time on, helped convince local politicians to support the end results.

Conclusion

UWELC educators took the lead in developing land use planning public participation models that encouraged consensus. This approach tailored to local needs is now being used throughout Wisconsin. Marquette County used similar tactics to gain public input during its recently completed land use planning process. Many of the same methods will be used in Shawano County’s planning effort. The committee meeting structure that UWELC helped design and implement was also replicated in Marquette and will be used again in other land use-related projects (*Roffers 2005*).

As a trusted community institution, UWELC procured expert advice from throughout the state that otherwise would not have been fully utilized by the county. The education provided by these connections proved invaluable as the zoning office and its partners sought to interpret the state comprehensive planning law and to better understand how to effectively and efficiently obtain public input. Through its role in this project, UWELC also helped convey the message that Lincoln County’s long-term development strategy must be set and implemented through a consortium of cooperation. Cooperative efforts would promote the sharing of limited resources, increasing the chance that land use plans and new zoning ordinances would be enforced in a fair and efficient manner. Perhaps most important, UWELC often provided order to a process that has proven chaotic in many communities

throughout the country and thus helped the county create a visionary plan that stands to serve as the basis for its land use development for years to come.

Endnotes

1. This statement is derived from the UW–Extension, Lincoln County, mission statement and accurately reflects the mission of University of Wisconsin Cooperative Extension.

2. There was a short gap in facilitation when one local Extension educator retired and another came on board. Several meetings were thus facilitated by one of the technical advisors, who found it difficult to maintain neutral positions during discussions.

References

- Cadwallader, Thomas K. 1995. Land use planning in Lincoln County: What does the community think? Summary report. Copy located in the University of Wisconsin–Extension, Lincoln County Office, Merrill, Wis.
- Cadwallader, Thomas K. 2000. The Lincoln County land use attitude study summary report. Copy located in the University of Wisconsin–Extension, Lincoln County Office, Merrill, Wis.
- Cadwallader, Thomas K. 2003. Land sales in Lincoln, Langlade and Marathon Counties from 1989 to 2002. Paper based on Wisconsin Department of Revenue statistics. Copy located in the University of Wisconsin–Extension, Lincoln County Office, Merrill, Wis.
- Davis, Brad, and Mark Roffers. 2001. Lincoln County comprehensive plan, volume one: Inventory and analysis report. Madison, Wis.: Vandewalle & Associates. Copy may also be obtained through the University of Wisconsin–Extension, Lincoln County Office, Merrill, Wis.
- Friedrich, Katherine. 2006. Dumbing down smart growth. *Earth Island Journal* 21(1). http://www.earthisland.org/eijournal/new_articles.cfm?articleID=1012&journalID=86 (accessed 10 March 2006).
- Haines, Anna, and Mary Edwards. 2005. Do Wisconsin’s “Smart Growth” plans conform to smart growth principles? *Land Use Tracker* 5(1). <http://www.uwsp.edu/cnr/landcenter/tracker/Summer2005/smartgrowth.html> (accessed 12 March 2006).
- Lersch, Arthur D. 2004. Community Recodification Committee questionnaire: Summary of results. Copy located in the University of Wisconsin–Extension, Lincoln County Office, Merrill, Wis.
- Lersch, Arthur D., and Beryl Vandre-Emerich. 2005. County partners questionnaire: Land use planning & zoning projects: Summary of results. Copy located in the University of Wisconsin–Extension, Lincoln County Office, Merrill, Wis.
- McLeod, Donald, et al. 2003. Opportunities and challenges for land use planning in the Intermountain West. *Journal of Extension* 41(5). <http://www.joe.org/joe/2003october/a5.shtml> (accessed 9 March 2006).

- Miller, Dan. 2004. History of Lincoln County zoning. PowerPoint presentation. Presentation given to community residents at a public meeting to discuss the impending vote by the Lincoln County Board on the proposed revised zoning code, September 2004.
- Ohm, Brian W. 2001. Key points about Wisconsin's new comprehensive planning and smart growth law. University of Wisconsin–Extension publication G3750. <http://cecommerce.uwex.edu/pdfs/G3750.PDF> (accessed 13 November 2005).
- Ohm, Brian W. 2005. Universities as participants in planning enabling statute reform. In *Partnerships for smart growth: University-community collaboration for better public places*, 216–36. Armonk, N.Y.: M. E. Sharpe.
- Roberts, Rebecca, and Chin-Chun Tang. 2004. The Wisconsin planning experience: Results from the community planning survey. *Land Use Tracker* 4(1). <http://www.uwsp.edu/cnr/landcenter/tracker/summer2004/survey.html> (accessed 12 March 2006).
- Roffers, Mark, Vandewalle and Associates. 2005. Personal communication via e-mail, 8 November.
- Smart Growth Network. Smart Growth Online. <http://www.smartgrowth.org/> (accessed 9 March 2006).

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