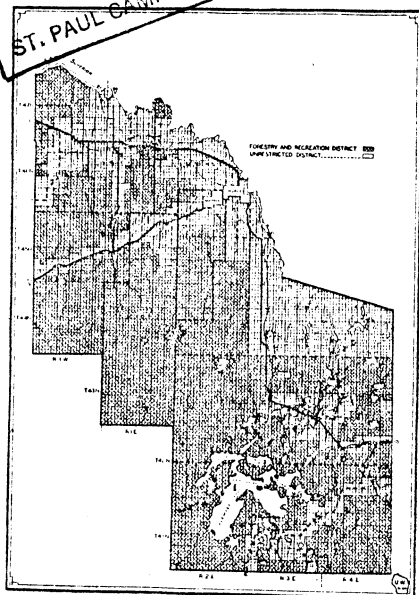


Zoning of Minnesota Lands

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Zoning Map of Iron County, Wisconsin

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THE word "zoning" is new in discussions of rural land problems, but is one which is fast becoming popular. While its application to rural land is a recent development, the principle of zoning as a form of public control of the use of property is well established. Zoning has been employed extensively in larger cities as a means of regulating the kinds of use to which property may be put in different districts. For example, it may be employed to keep industrial or business establishments from encroaching upon a residential area in such a way as to reduce the value of the residential property in the area. In short, zoning under urban conditions is used mainly for the protection of established property uses and values.

The application of zoning to rural lands, likewise, is for the purpose of giving some control over the uses for which the lands are employed. The need for zoning in rural lands, however, arises primarily from the fact that certain uses may involve unnecessary expenditures of public money in the performance of public services. Restrictions may be warranted, therefore, as a protection to the taxpayers.

Illustrations of the need for zoning are supplied by areas in which there is considerable undeveloped land, such as is found in parts of the up-over regions of Minnesota and the other lake states. Lack of direction and control of land use in such areas has resulted in many isolated settlements that involve high costs for roads, schools and other public services. As an example, the public expense involved in transporting to school the children of 28 isolated homes, selected at random in one county in Minnesota averaged \$185 a family, yet the average tax levied on these farms was only \$10. Because part of the taxes were delinquent, the total tax payments of these 28 families represented only about 3 per cent of the public costs of transporting their children to school, without providing anything for other services. A similar situation arises in connection with roads. In 13 typical cases of roads provided at public expense for one or two families, the taxes paid by the benefited families in 1932 covered less than 8 per cent of the costs of the roads, without any allowance for the costs of schools or other services. It is obvious that public interest will be served by the elimination of conditions of this sort.

The item of direct public expense, however, is not the only consideration. Isolated settlers frequently are on the less desirable lands and their incomes suffer in consequence. They lack, also, the advantages of

established community life, and, where they are in forest areas, their presence often adds to the fire hazards.

The objective in zoning is to avoid the repetition of past mistakes of isolated settlement and to discontinue bringing unsuitable land into agricultural use. It is also to direct new settlement to suitable land. It cannot interfere with existing uses of land, but where these are inadvisable, extension of such uses to other lands may be curbed.

Relation to Land Classification

Zoning and land classification do not conflict. They are parts of the same program. Zoning may be described as a logical step to follow land classification. Land classification has for its purpose the designation of the suitability of land for specific uses in the light of both physical and economic conditions. Thus some lands may be classified as agricultural and others as forest lands; still others as being primarily recreational lands and so on. Classification to be adequate must be based upon careful consideration of all important factors. Land may be potentially well suited for farm use from the standpoint of soil, topography, and climate. Yet other factors, such as location, lack of transportation, inaccessibility to market, cost of bringing into cultivation, and a lack of need for increasing the agricultural output, may indicate that its present development for farm use is not feasible.

Zoning makes classification effective in that it sets up control over the use of land. Thus, lands classified as non-agricultural may be placed in a zone restricted to further settlement and agricultural development. Such a step will prevent new settlers from going on to unsuited land, suffer loss and disappointment. Costs which would otherwise fall upon the taxpayers to supply public services to such settlers will be reduced because settlers will be directed into unrestricted areas where such services are already available or where settlement is likely to become sufficient to justify provision for the needed services.

Has Rural Zoning Been Tried?

Wisconsin has taken the lead in extending zoning to rural land, by passing an act giving counties authority to adopt zoning ordinances. Several counties in northern Wisconsin already have zoning ordinances in force and some other counties are, as this is written, in the process of enacting similar ordinances. It should be clearly understood that the law does not compel counties to zone lands. Whether or not to adopt a zoning ordinance is a decision for the county to make, and the enactment of ordinances is, therefore, the result of approval given the plan.

different parts of the county, to acquaint the people with the program and to obtain their suggestions with regard to desirable changes. If a tentative program of zoning is approved by the people, the next steps are to consider carefully suggestions for changes, to draw up the ordinance in final form, and then to adopt it.

While a plan of zoning should meet as far as possible the wishes of local people, it is desirable that counties should work together and that state agencies should co-operate in the development of plans for zoning, in order that there may be as much uniformity as possible in the program. Natural areas and land-use districts exist without regard to political boundaries, and land classification cannot be limited or distorted by such boundaries. Zoning, which after all is a method of giving legal effect to classification, should recognize this, and adjacent counties should co-ordinate their zoning programs. Co-operation with state agencies is highly desirable because such agencies have assembled considerable information which bears on the problems of classification and zoning.¹ Moreover, any zoning plans adopted will have an intimate relationship with programs for developing state and national forests, game preserves, and recreational areas, and counties will wish to develop their plans in harmony with the plans for land-use already under way.

A Representative Zoning Ordinance

The zoning ordinances enacted by Wisconsin counties illustrate the important features of such enactments. The one in force in Vilas County may be cited.² This ordinance provides for districts based on three kinds of use; namely, forestry, recreation,³ and unrestricted. The boundaries of each of these districts are shown on a map of the county which is made a part of the ordinance. The uses permitted in each district are set forth as follows:

District No. 1—Forestry District

In the forestry district no building, land, or premises shall be used except for one or more of the following specified uses:

1. Production of forest products
2. Forest industries
3. Public and private parks, playgrounds, camp grounds and golf grounds

¹ "Lands of Northern Minnesota; Their Use and Problems of Adjustment," to be published by University of Minnesota Press, will include a more detailed discussion of zoning and related land-use problems.

² See "Making the Best Use of Wisconsin Land Through Zoning," Special Circular, Extension Service of the College of Agriculture, the University of Wisconsin. 1934.

³ Counties not having considerable recreation areas will not find it necessary to have separate recreation districts.