

## **Introduction**

Land use is the defining element of the comprehensive plan. It will serve as a framework for decision makers, guiding future growth and development in the Town of Oconto Falls. This chapter describes existing land use patterns in the Town and sets forth a plan for future land use consistent with the community's



visions. It will guide the Town Board, Plan Commission, property owners, developers, and others in decisions regarding the category, location, and density of future development.

The land use chapter is divided into two parts. *Section I: Current Land Use* focuses on existing land uses. It provides an inventory of current land uses, identifies land use trends, and describes the tools currently used to guide development. *Section II: Future Land Use* comprises the 20-year land use plan for the Town of Oconto Falls and presents the tools that may be useful in implementing the plan.

Implementation of the comprehensive plan will result from the incremental decisions made by elected and appointed officials during the review and approval of zoning changes, certified survey maps, subdivision plats, site plans, and the like. Through these decisions, the Town may realize its goals as they relate to the physical growth and development of the community. Successful implementation will require a sustained effort by the public and private sectors to utilize this chapter, and the Future Land Use map contained within it, as *the essential decision-making guide* for land use in the Town of Oconto Falls.

## **Land Use Vision**

*The Town of Oconto Falls will strive to preserve the places and land uses most important to our community while allowing for well-planned residential and commercial development designed in harmony with the natural landscape so as to ensure a safe, beautiful, and thriving community for future generations.*

### **Section I: Current Land Use**

The purpose of the current land use section of the chapter is to describe the existing land base of the community (i.e., residential, commercial, agricultural, open space, etc.). It also includes an inventory of the ordinances policies, and other land use tools utilized to guide development.

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### Current Land Use Inventory

The inventory of current land uses presented in Table 8.1 is based upon the Current Land Use map appearing on page 8-3. The map was developed using available GIS/mapping data provided by Oconto County, Bay Lake Regional Planning Commission, and the Wisconsin Department of Transportation, among others. The purpose of the map is to provide a reasonably accurate ‘snap shot’ of the community, as it exists today, and to serve as a foundation for the Future Land Use map appearing on page 8-10.

**Table 8.1: Current land Uses in the Town of Oconto Falls, 2015**

Land Use	Total Acreage	Percent of Total Acreage
Agricultural	11,430.80	54.67%
Commercial	19.56	0.09%
Communications & Utilities	17.63	0.08%
Governmental & Institutional	2.67	0.01%
Industrial	94.38	0.45%
Mobile Homes	28.40	0.14%
Open Space & Fallow Fields	42.07	0.20%
Parks & Recreation	348.17	1.67%
Residential	889.69	4.26%
Roads	171.76	0.82%
Transportation	0.01	0.00%
Woodlands & Natural Areas	7,864.03	37.61%
Total	20,909.17	100%

Source: Town of Oconto Falls Current Land Use map, 2015.

### Residential & Population Density

With a total of 488 housing units on 32.76 square miles of land, the net residential density in the town is roughly 15 units per square mile. The population density is 39 persons per square mile based upon an estimated 2015 population of 1,275 people.

### Land Use Trends & Supply

The Town’s land base is comprised primarily of agricultural lands, woodlands, the Oconto River valley, and sparsely scattered single-family housing. Due to the preponderance of wetland and floodplains, the vast majority of future development will occur on lands currently classified as Agricultural or Woodlands / Open Space. The available supply of developable land is sufficient to meet future land use goals.

### Current Land Use Regulations

A variety of mechanisms are currently utilized in the Town to guide development and resource preservation, including zoning and subdivision ordinances. Additional tools that may be adopted are presented later in this chapter.



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### Zoning Regulations

The purpose of a zoning ordinance is to identify the permitted and conditional uses allowed on parcel of land within designated zoning districts. Zoning ordinances may also regulate lot size, road frontage, density, and the location, height, and size of structures, among others. Oconto County administers and enforces zoning regulations with the Town of Oconto Falls.

Oconto County utilizes a conventional (or Euclidean) zoning regime that is based upon the designation of zoning districts within which permitted and conditional uses are permissible. Alternative zoning models are presented later in this chapter. Table 7.2 lists the zoning districts within the Town and provides a brief description of district regulations.

Table 8.2: Zoning Districts and District Regulations in the Town of Oconto Falls			
District	Permitted Uses	Conditional Uses	Minimum Lot Size
A Agricultural	Multiple (consult ordinance).	Multiple (consult ordinance).	10 acres.
F Forest	Agricultural production (crops, livestock, or both); forestry, forestry services, logging, portable sawmills, and portable planing mills; hunting, trapping, and game production; municipal parks; single-family; manufactured home; mobile home; firewood processing facility (less than 20 cord per year).	Community buildings; community garages and storage facilities; kennels; landfills; permanent sawmills; shooting ranges; utility towers; firearms sales and/or service; firewood processing facility (20 or more cord per year); private parks.	10 acres
GC General Commercial	Multiple (consult ordinance).	Multiple (consult ordinance).	Determined by Zoning Administrator based upon site plan.
I Industrial	Multiple (consult ordinance).	Multiple (consult ordinance).	Determined by Zoning Administrator based upon site plan.
RR Rural Residential	Agricultural production (crops, livestock, or both); temporary auctions; manufactured homes; single-family homes; animal shelters, barns, and sheds; accessory structures; utilities.	Addition, expansions of, or conditional operations of pre-existing uses; Conditional uses in A and F districts; mobile home; two-family home; bed & breakfast establishments; daycare centers, more than 8 children; utility towers; conditional uses in R-1 district; firework sales; firearm sales and/or service.	2 acres
R-1 Residential Single-Family	Cemeteries; churches; community buildings; municipal parks; manufactured home; single-family; schools.	Bed & breakfast establishments; duplexes; daycare centers, more than 8 children; utility towers; firework sales; firearm sales and/or service; private parks.	Sewered: 10,000 sq ft Unsewered: 20,000 sq ft
Note: The permitted uses, conditional uses, and minimum lot sizes listed in this table are for planning purposes only. This table contains only those Oconto County zoning classifications that exist within the Town of Oconto Falls. Landowners should consult the Oconto County Zoning Ordinance for formal requirements and specific regulations related to each district.			
Source: Oconto County Zoning Ordinance.			

Oconto County also administers Floodplain and Nonmetallic Mining ordinances within the Town.



## **Land Division & Subdivision Regulations**

Unlike zoning, which regulates the use of land, subdivision regulations govern the manner in which land transitions from one use to another (typically from agricultural or open space to residential). A subdivision ordinance provides the procedures and standards for dividing a large parcel into smaller parcels for sale or development. Subdivision regulations require that developers meet certain conditions in order to record a certified survey map or plat. As with zoning, subdivision regulations are an effective tool through which local government can implement a comprehensive plan. The Town of Oconto Falls administers and enforces its own subdivision ordinance; though it does so in consultation with Oconto County.

## **Section II: Future Land Use**

This section of the chapter will serve as the primary guidance tool for the Town in implementing the plan. Like a blueprint for a building renovation, the comprehensive plan serves as a guide to construct, or design, the future Town of Oconto Falls. The section is segmented into two broad focus areas:

- Community Design Considerations. The underlying issues guiding future development in the community. Presented and discussed in earlier chapters, these are the primary areas of focus for the comprehensive plan.
- Community Design Approaches. The broad strategies and specific policies (including ordinances) used to guide future development in the Town and to address community design considerations.

## **Community Design Considerations**

Community design is an important component of planning and plays a significant role in determining quality of life in and preserving the character of a community. Elements of community design may include the culture and history of a community along with architectural standards, open space and natural resource protection, transportation and access, and recreation, among others. Ordinances provide the primary means by which local governments implement community design requirements.

## **Property Rights**

The issue of private property rights versus community need underlies every comprehensive planning effort. Property rights are ingrained in American jurisprudence. Those rights have been respected, to the greatest extent feasible, throughout the planning effort. This chapter describes and illustrates proposed development patterns for the Town of Oconto Falls. It will be used by local officials, landowners, developers, and others to make informed land use and development decisions. Should a landowner disagree with the Future Land Use map, or any other aspect of this plan, he/she has the right to petition the Town for an amendment to the

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document. All amendments will occur through a public process, defined by state law, and will include a public hearing. The process of amending the comprehensive plan is described in *Chapter 10: Implementation*.

### Community Character

Character is defined differently for each community but includes a blend of natural, built, visual, and cultural characteristics. It represents the sum of the attributes and assets that make a community unique, and that establish a sense of place for its residents. In the Town of Oconto Falls, community character means:

- An economically viable agricultural sector for the long-term.
- Scattered single-family residential development.
- Preserved forests and open space.
- High-quality surface waters and preserved riparian corridors.
- A healthy and sustainable landscape.
- A safe and friendly community.

### Community Design Approaches

Community design approaches represent the guiding principles of the comprehensive plan and are integral to the desired future for Oconto Falls. Their incorporation into the application review and approval process will ensure that new development blends harmoniously with the existing built and natural environment, while providing for land use patterns that promote a high quality of living.

### Conservation Design

The landscape of the Town offers an array of natural features that defines its character. Preserving rural character is a primary goal of the comprehensive plan. To accommodate future growth while maintaining the integrity of the natural environment, the Town of Oconto Falls will encourage *conservation design* approaches to new development. Conservation design will allow the community to:

- Protect rural character by maintaining (and restoring) natural areas, woodlands, scenic views, open undeveloped areas and farm fields, while addressing desired residential and commercial development needs.
- Lower the cost of development by reducing the amount of impervious surface, minimizing stormwater management expenditures, shortening permit review times, and addressing the desire for community parks and open space.
- Create natural corridors of green space between developments that can be utilized by wildlife and have the potential to be used as trail or walkway areas to improve connections between development nodes.

- Preserve agricultural lands to ensure that they remain an economically viable component of the landscape.
- The principles of conservation design can be applied to rural and urbanized environments and may be incorporated into residential, commercial, and industrial, development as well as parks and municipal properties.

## Future Land Use Map

The future land use map is the visual representation of the visions, goals, objectives, and policies presented in the comprehensive plan. It is the principal tool used by the Town to guide development. As per Wisconsin's Comprehensive Planning Law, decisions related to development and governed by the zoning and subdivision ordinances must be made in a manner "consistent" with the map.

## Relationship to Zoning Map

The future land use map is not a zoning map. It is a compilation of the elements comprising the earlier chapters of the comprehensive plan including agricultural and natural resources, economic development, housing, and transportation. It reflects the desired 20-year future for the Town. Table 8.3 presents information differentiating the future land use and zoning maps.

<b>Table 8.3: Comparison of Future Land Use Map and Zoning Map</b>		
	<b>Future Land Use Map</b>	<b>Zoning Map</b>
Comprehensive Plan Requirement	Yes	No
Wisconsin Statutes (chapters, sections)	66.1001(2)(h)	59.69(5); 60.61(4); 62.23(7)
Local Government Adopts	By ordinance as part of comprehensive plan	By ordinance as part of zoning ordinance
Parcel-based	No	No
Displays	General land use categories	Zoning districts
Use	Visual guide for the community	Designate height, bulk, and use of land
Source: University of Wisconsin – Stevens Point Center for Land Use Education, 2004		

## How will the Future Land Use Map be Used?

The future land use map will guide the Town Board and Commission during the review of requested zoning changes, land division and subdivision applications, and other local land-use decisions in accordance with the Planning Law. Landowners and developers will consult the plan when making development decisions, and should be confident that an application for development that is consistent with the comprehensive plan will be approved. It is important to note that a plan is not a static document. It must evolve to reflect current conditions. If not regularly reviewed and amended, it will become less effective over time. Applications for rezoning and development that are inconsistent with the plan must be given due consideration, not rejected out of hand. In some situations, it may be desirable to amend the plan (and maps) to accommodate a compatible, but previously unplanned use. Likewise, a change in county or

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regional policy, technological advances, the economy, or the natural environment may affect the plan.

Changes to the plan (including plan maps) must be considered in the context of all nine required plan elements, and reflect the visions, goals, objectives, and policies expressed within the document. If an amendment is to be approved, the process must include a formal public hearing and distribution per the requirements of the Planning Law (see *Chapter 10: Implementation* for amendment process). Amendments must be reviewed by the Plan Commission and approved by the Town Board before the plan may be revised.

### Description of Future Land Uses

This section provides a brief description of the proposed land uses presented on the future land use map. Table 8.4 presents land use projections for the Town of Oconto Falls through the year 2035.

#### Alternative Residential

Areas well suited to alternative residential living options. Such housing may include: senior living, small unit multi-family (duplexes, quadplexes), live-work units, etc.

#### Community Park / Preserved Open Space

Community parks are generally five or more acres in size and are intended to serve the recreational needs of the greater community. They may be active, passive, or a combination thereof. Amenities within an active park may include athletic fields, play equipment, tennis courts, basketball courts, band shells, pavilions, restrooms, and the like. Passive parks provide opportunities for rest and reflection and interaction with nature. They may include nature trails, hiking and skiing trails, and picnic areas, and tend to include restorative and educational elements such as prairie restoration and reforestation.

#### Gateway Features

Gateway features are intended to inform visitors that they have entered the Town of Oconto Falls. Main entry points (STH 22 and STH 32) will utilize larger features, with smaller versions associated with County highways and appropriate Town roads. The most important element of a gateway system is consistency in design, materials, and landscaping.

#### Limited Access Corridor

STH 22 and STH 32 have been designated as a limited access corridor by the WDOT. As a result, development along these corridors should utilize side streets and crossroads for access as opposed to providing additional driveways directly onto the state highway.



### Mixed Commercial / Industrial

Areas identified as suitable for a mixture of compatible commercial and industrial land uses on shared or adjoining parcels. The Town will look to utilize the Light Industrial (LI) and multiple commercial districts in the county zoning ordinance within these mixed commercial/industrial areas.

### Riparian Corridor

The boundaries of the proposed riparian corridor would extend 100' from the high-water mark on each side of the selected stream segments (encompassing County shoreland setbacks). The purposes of the parkways will be to provide vegetated buffers between streams and adjacent land uses so as to improve water quality, preserve wildlife habitat, and mitigate flooding. Riparian corridors would not be imposed upon existing land uses, but implemented upon review of applications for rezones and land divisions.

### Transitional Residential

The purpose of the Transitional Residential (TR) is to create an intermediary buffer between the more densely developed areas in the southeast corner of the Town and the less densely developed agricultural areas throughout the remainder of the community. The TR allows for market-based residential development consistent with the goal of preserving rural character and functional open space. All minor land divisions (through certified survey maps) and subdivision plats within the TR would follow the principals of conservation design. The TR land use category may be implemented utilizing the zoning districts available in the county zoning ordinance. The Town will work with the county to develop other means of implementing the TR land use category as necessary.

## **2035 Land Use Projections**

<b>Table 8.4: Land Use Projections for the Town of Oconto Falls, 2015-2035</b>					
<b>Land Use</b>	<b>Acreage by Year</b>				
	<b>Current</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>	<b>2035</b>
Agricultural	11,431	11,179	10,927	10,676	10,426
Commercial	20	16	13	9	5
Industrial	94	85	76	66	57
Mixed Commercial / Industrial	0	61	122	183	244
Residential (all categories)	918	1,356	1,794	2,232	2,670
Source: Town of Oconto Falls Future Land Use Map.					

## **Land Use Goals, Objectives, and Policies**

The goals, objectives, and policies related to land use are presented in Chapter 10: Implementation.

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