

**TOWN OF OCONTO FALLS  
ORDINANCE (#-07?)**

**INTERIM CONTROL ORDINANCE ON MAJOR LAND DIVISIONS  
(i.e. SUBDIVISIONS)**

WHEREAS, the Town of Oconto Falls has completed and adopted a Comprehensive Plan in accordance with §66.1001 (Wisconsin Comprehensive Planning Law);

WHEREAS, the Town's Plan Commission is currently developing a Land Division/Subdivision Ordinance as part of the necessary implementation of the Comprehensive Plan;

WHEREAS, the development and adoption of the Land Division/Subdivision Ordinance is unlike any other planning activities of the Town and will take time;

WHEREAS, existing land use policies may allow new development or the intensification of existing development that may hamper or curtail the effectiveness of the Land Division/Subdivision Ordinance before it can be completed and adopted by the Town;

WHEREAS, an Interim Control Ordinance on Major Land Divisions (Subdivisions) would provide the Town with the opportunity to complete and adopt the Land Division/Subdivision Ordinance,

WHEREAS, if there was no Interim Control Ordinance, development pressures in the Town may increase during the development and adoption of the Land Division/Subdivision Ordinance because land owners and developers may seek to rush their projects in order to gain approval before the Land Division/Subdivision Ordinance can be adopted;

WHEREAS, the Town wishes to avoid a race of diligence, i.e. property owners seeking approval of actions which are allowed under the current Subdivision Ordinance administered by Oconto County, but which may not be consistent with the Town Land Division/Subdivision Ordinance currently under development;

WHEREAS, in the interim, the Town wishes to allow limited land divisions of not more than four parcels from one parent parcel through the use of the certified survey map, as those minor land divisions are not expected to conflict with the eventual Town Land Division/Subdivision Ordinance;

NOW, THEREFORE, having considered all of the foregoing, the Town Board of the Town of Oconto Falls, Oconto County, Wisconsin, does hereby ordain as follows:

1. No applications for major land divisions (subdivisions) shall be allowed until the Town of Oconto Falls Land Division/Subdivision Ordinance is approved and adopted.
2. However, notwithstanding the foregoing, any existing parcel of land may be divided into not more than four parcels provided that the proposed division is allowed by existing zoning classifications for this property and Oconto County ordinances.
3. Any certified survey map, subdivision plat, conditional use permit, or rezoning request which has already been approved shall not be affected herein.
4. As an interim control ordinance, upon final Town approval and adoption of the Town of Oconto Falls Land Division/Subdivision Ordinance, this ordinance shall have no further force and effect.
5. This ordinance shall not apply to emergency conditions that require a plat, certified survey map, conditional use permit, or zoning change in order to avoid irreparable harm to the property

owner. However, delay in the opportunity to develop land does not constitute irreparable harm. Any request for a variance, as a result of emergency conditions, shall be heard by the Town Board.

6. All ordinances and resolutions or provision of resolutions and ordinances inconsistent with or contravening the provisions of this ordinance are hereby temporarily voided and shall have no legal force of effect during the period this ordinance is in effect.
7. This ordinance applies throughout the Town of Oconto Falls.
8. If any part of this ordinance is adjudged to be unconstitutional, unlawful, or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.
9. This ordinance shall become effective on the date of approval and adoption.

The above foregoing ordinance was duly adopted at a regular meeting of the Town Board of the Town of Oconto Falls, Oconto County, Wisconsin, held on the \_\_\_ day of \_\_\_\_, 2007.

Ayes   2  

Nays   0  

Alfred Krause, Jr.  
Alfred Krause, Jr., Chairman

Filed this 10 day of Sept., 2007  
in the office of the Town Clerk.

Walter Holtz  
Walter Holtz, Supervisor #1

Gwen Holtz  
Gwen Holtz, Oconto Falls Town Clerk

Ronald Thomson  
Ronald Thomson, Supervisor #2

Code of Ordinance Published	<u>July</u>
Posted at:	
Oconto Falls Town Hall	<u>  ✓  </u>
Location #2	<u>  ✓  </u>
Location #3	<u>  ✓  </u>
Adoption of Ordinance Published	<u>  ✓  </u>

DRAFTED BY:  
Jeffrey Sanders  
Principal Planner  
OMNNI Associates  
One Systems Drive  
Appleton, WI. 54914-1654  
(920) 735-6900