

CHAPTER 11: LAND USE CONTROLS AND INVENTORY

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INTRODUCTION

The previous chapters found in *Volume II: Oconto County Resources* provide background data and other pertinent information for the development of the county and local comprehensive plans. This chapter provides highlights from the countywide land use inventory conducted in 2007. The inventory determined where and what types of land uses exist within Oconto County and the acreages dedicated to those land uses. The mapping of existing land uses and understanding of definable development patterns will help assist Oconto County and local units of government better determine where lands are most suitable for development and appropriately allocate acreages needed for future residential, commercial, industrial, and other types of developed land uses. The presence of sanitary districts, adjacent land uses, existing infrastructure, preservation areas, environmental corridors, and other natural features will also influence the type and location of future development. To best promote the location and type of future land uses, an inventory of land use controls currently enforced by Oconto County is provided within this chapter.

EXISTING LAND USE CONTROLS

This section inventories and discusses land use controls and regulations that may affect or restrict the use of land for specific purposes within Oconto County. These controls should be reviewed periodically to ensure they appropriately facilitate implementation of the county and local community comprehensive plans.

Planning Documents

Comprehensive Plans

This is the first comprehensive plan for Oconto County. All local communities within Oconto County have adopted comprehensive plans that contain development strategies to guide their future development/preservation intentions. Each of the local plans was referenced to gather ideas for the development of the county's plan, to ensure consistency between comprehensive plans, and to help avoid conflicts in future land use decisions.

Oconto County Farmland Preservation Plan

The county's Farmland Preservation Plan, adopted in 1985, serves as a guide to preserve productive and potentially productive agricultural land, forestland, and environmentally significant natural areas, while providing for well planned urban growth that is compatible with surrounding agricultural, recreational, and natural resources. Farmers owning land identified as preservation areas are eligible to sign contracts with the state agreeing not to develop their land. In return, the farmer receives tax credits based on household income and property tax. The plan contains the following categories to help preserve and protect farmland:

- *Agriculture Preservation Areas*: These are lands primarily used for long-term agriculture use. Any agriculture preservation area mapped must be a minimum of 100 contiguous acres. These areas are eligible for tax credits and protection from special assessment.
- *Transitional Areas*: These areas are predominantly used for agricultural use now, but will be needed for future residential, industrial, or commercial use. Transitional areas should be contiguous to existing development, and when developed, have minimal impact on

agriculture lands. Any transitional area mapped must be a minimum of 35 acres. This designation is eligible for credits.

- *Environmental Areas*: Environmental areas have special environmental, natural resource, recreation, or open space significance. Privately held environmental areas are eligible for tax credits.
- *Excluded Areas*: Excluded areas are those in non-agricultural uses or are required for existing or future urban development and non-farm, rural development. Excluded areas include those areas where existing development is taking place and where it can be reasonably expected to take place in the future. Non-agricultural use lands of less than 10 contiguous acres have not been mapped. Excluded areas are ineligible for tax credits.

Land Use Regulations

Oconto County Zoning Ordinance

Oconto County maintains and administers a zoning ordinance covering the unincorporated areas of the county. The cities and villages within the county administer their own zoning ordinances. Oconto County uses the zoning ordinance to promote public health, safety, and welfare; to protect natural resources; and to maintain community character. The established zoning districts help to avoid land use conflicts, protect environmental features, promote economic development, and assist in the accomplishment of land use objectives identified by a comprehensive plan. Please refer to the Oconto County Zoning Ordinance for more detailed information on zoning districts, regulations, restrictions, permitted uses, and zoning maps.

According to s. 66.1001, Wis. Stats., all land use related actions (regulations, etc.) of local governmental units are required to be consistent with their adopted comprehensive plan. As a result, the county zoning ordinances shall be reviewed and updated to be made consistent with the adopted comprehensive plan and any subsequent updates to the plan.

Oconto County Land Division Ordinance

Oconto County enforces a Land Division Ordinance. The ordinance applies to “any act of division of a lot, parcel, or tract which existed on the effective date of this ordinance by the owner thereof or his agent for the purpose of transfer of ownership or building development where the act of the division creates one or more new lots, parcels, tracts or units, if the lot, parcel, tract or unit being created is equal to or smaller in area than ten (10) acres in size, determined by the right of way.” Please see the Oconto County Land Division Ordinance for further information.

Oconto County Floodplain Ordinance

Oconto County recognizes that uncontrolled development within floodplains or too close to rivers or streams can be an issue of public health, safety, and general welfare of its residents. The Oconto County Zoning Ordinance regulates development in flood hazard areas for the protection of life, health and property while providing a uniform basis for the preparation, implementation and administration of sound county floodplain regulations.

Areas regulated by the Oconto County Zoning Ordinance include all areas that would be covered by the “Regional Flood.” These areas are divided up into three districts:

1. The *Floodway District (FW)* consists of the channel of a river or stream and those portions of the floodplain adjoining the channel carrying the regional flood waters.

2. The *Floodfringe District (FF)* consists of that portion of the floodplain between the regional flood limits and the floodway.
3. The *General Floodplain District (GFP)* consists of all areas which have been or may be hereafter covered by flood water during the regional flood. It includes both the floodway and floodfringe districts.

Oconto County should continue to work closely with the WDNR, FEMA, and other appropriate agencies when updates to the Oconto County Flood Insurance Rate Maps and the Oconto County Zoning Ordinance are proposed. For more information about floodplain zoning in Oconto County refer to the Oconto County Zoning Ordinance.

Oconto County Shoreland Ordinance

The Oconto County Zoning Ordinance establishes zoning standards for use of shorelands along navigable waters. The shoreland standards apply to lands:

1. within unincorporated communities that lie within 1,000 feet of the ordinary high water mark of navigable lakes, ponds or flowages; and
2. within 300 feet of the ordinary high water mark of all navigable rivers or streams, or to the landward side of the floodplain, whichever distance is greater.

The Oconto County Zoning Ordinance also establishes minimum lot sizes for parcels within the shoreland zone, setbacks of buildings and structures from the water, and standards for the alteration of surface vegetation and land surfaces. For more detailed information regarding regulations, setbacks, excavating, etc. in shoreland areas, refer to the county's zoning ordinance.

CURRENT LAND USE INVENTORY

A complete inventory of Oconto County land uses was completed by the Bay-Lake Regional Planning Commission in 2007-08. A Standard Land Use Classification system was used to properly identify the type and location of the varied land uses seen throughout the county. The three Wisconsin regional planning commissions that border Lake Michigan and Lake Superior (Bay-Lake RPC, Southeastern Wisconsin RPC, and Northwestern Wisconsin RPC) adopted the land use classification system in June 1975 for land use inventories conducted in conjunction with the Coastal Zone Management Development Program. A list of those detailed land use codes can be found in [Appendix ?](#).

Land Use Categories

The following list of land use categories is based on a methodology created by the Bay-Lake Regional Planning Commission for conducting a land use inventory only. This list is *not* intended to create specific definitions for regulatory purposes.

Residential--Use of land for non-transient-occupant dwelling units, both transportable and permanent structures. The residential category is divided into the following subcategories: *Single Family, Two Family, Multi-Family, Mobile Home, and Group Quarters*.

Commercial--Use of land for retail sales or trade of goods and/or services, including enclosed participatory sports, lodging, and commercial headquarters.

Industrial--Use of land for fabrication of products, for wholesaling of products, for long-term storage of products, and for extraction (mining) or transformation of materials.

Transportation-- Use of land for corridors for the movement of people or materials, including related terminals and parking facilities. This land use includes motor vehicle, air, marine, rail, and non-motorized-related transportation.

Communication/Utilities--Use of land for generation, processing, and/or transmission of electronic communication or of water, electricity, petroleum or other transmittable products, and for the disposal, waste processing and/or recycling of byproducts.

Institutional/Governmental Facilities--Use of land for public and private facilities for education, health, or assembly; for cemeteries and related facilities; and for all government facilities used for administration or safety except public utilities and areas of outdoor recreation.

Outdoor Recreation--Use of land for out-of-doors sport and general recreation facilities, for camping or picnicking facilities, for nature exhibits, and for the preservation or protection of historical and other cultural amenities.

Agriculture/Silviculture--Use of land for growth or husbandry of plants and animals and their products and for associated facilities such as sheds, silos and other farm structures. This category also includes the cropland and pasture areas primarily used for the cultivation of plants in addition to grasses for grazing.

Natural Areas—Use of land for water areas; land used primarily in a natural state for their natural functions including wetlands, grasslands and prairies, and woodlands; land undergoing change from natural areas to another land use; and conservancy areas.

Other Natural Areas—Use of land for wetlands, grassland/prairies, and woodlands not categorized elsewhere.

Water—Use of land for open water areas, including natural and impounded lakes and streams.

Planning Area

According to the land use inventory, Oconto County encompasses approximately 1,016,822 square miles, equating to 650,766,327 acres. As summarized in Table 11.1, just over 94 percent of the county is classified as undeveloped, while existing development covers approximately six percent of the county. Residential development comprises nearly one-half of the area shown as having developed land uses. The county's land use is illustrated on Map 11.1. Oconto County's detailed land use calculations are shown in [Appendix X](#).

Table 11.1: Oconto County Land Use, 2008

Land Use Type	Total (acres)	Developed Land (%)	Total Land (%)
DEVELOPED			
Residential	21,317.6	35.74	3.17
<i>Single Family</i>	20,074.3	94.17	94.17
<i>Two Family</i>	26.8	0.13	0.00
<i>Multi-Family</i>	76.4	0.36	0.01
<i>Mobile Homes</i>	1,069.4	5.02	0.16
<i>Vacant Residential</i>	70.7	0.33	0.01
Commercial	1,231.0	2.06	0.18
Industrial	1,909.0	3.20	0.28
Transportation	6,343.7	10.63	0.94
Communications/Utilities	359.8	0.60	0.05
Institutional/Governmental	767.5	1.29	0.11
Recreational	2,710.7	4.54	0.40
Agricultural Structures	3,697.8	6.20	0.55
Total Developed Acres	59,654.7	164.26	8.88
Land Use Type	Total (acres)	Undeveloped Land (%)	Total Land (%)
UNDEVELOPED			
Croplands/Pasture	169,997.9	27.76	25.29
Woodlands	396,916.4	64.81	59.06
Other Natural Areas	30,677.3	5.01	4.56
Water Features	14,837.7	2.42	2.21
Total Undeveloped Acres	612,429.3	100.00	91.12
Total Land Area	672,084.0		

Source: Bay-Lake Regional Planning Commission, 2008.

APPENDIX X: LAND USE INVENTORY CODES

Bay-Lake Regional Planning Commission Land Use Inventory Summary Form			
100	RESIDENTIAL	600	INSTITUTIONAL/GOVERNMENTAL
200	COMMERCIAL	700	OUTDOOR RECREATION
300	INDUSTRIAL	800	AGRICULTURE/SILVICULTURE
400	TRANSPORTATION	900	NATURAL AREAS
500	COMMUNICATION/UTILITIES		
CODE	LAND USE CLASSIFICATION	CODE	LAND USE CLASSIFICATION
100	RESIDENTIAL	500	COMMUNICATION/UTILITIES
110	Single Family Residential	510	Generation/Processing of Communication/Utilities
111	Single Family Residential Garage	511	Electric Power Plants
130	Two Family	512	Wind Turbine
150	Multi-Family	514	Telephone and Telegraph Terminals/Dispatch Centers
151	Multi-Family Garage	516	Radio/Television Stations
170	Group Quarters	521	Natural Gas Terminals/Plants
180	Mobile Homes	525	Other Liquid Fuel Terminal Plants
190	Land Under Residential	535	Water Supply Filter Treatment Plants
	Development	537	Water Supply Wells
199	Vacant Residence	540	Transmission of Communication/Utilities
		541	Major Electric Power Transmission Lines R/W
200	COMMERCIAL	542	Electric Power Substations
210	Retail Sales	546	Radio/Television Transmission Towers/Antennae
230	Shopping Centers	551	Major Natural Gas Transmission Lines R/W
250	Retail Services	552	Natural Gas Substations
270	Office Parks	555	Other Major Liquid Fuel Transmission Lines R/W
299	Vacant Commercial	556	Other Liquid Fuel Substations
		572	Water Supply Booster/Pumping Stations
300	INDUSTRIAL	577	Water Supply Storage Tanks/Reservoirs
310	Manufacturing	580	Waste Processing/Disposal/Recycling
340	Wholesaling	581	Trash/Garbage Landfills
360	Extractive	582	Other Trash/Garbage Dumps
380	Storage	583	Sewage Treatment Plants
381	Open	584	Sewage Sludge or Water Supply Chemical Disposals
382	Enclosed	585	Fly Ash and Other Fire Residue Disposal
399	Vacant Industrial	586	Auto Salvage/Recycling/Disposals
		587	Abandoned Landfill
400	TRANSPORTATION	588	Yard Waste
410	Motor Vehicle Related	591	Solid Waste Separation/Recycling Plants
411	Federal Highways	595	Incinerators
412	State Highways	599	Vacant Communication/Utilities
413	County Highways		
414	Local Streets and Roads		
415	County Forest Roads		
416	Federal Forest Roads		
417	Off-Street Parking		
418	Bus Terminals		
419	Truck Terminals		
420	Other Motor Vehicle Related		
440	Rail Related		
460	Air Related		
480	Marine Related		
484	Piers/Docks		
490	Nonmotorized Related		
499	Vacant Transportation		

CODE	LAND USE CLASSIFICATION	CODE	LAND USE CLASSIFICATION
600	INSTITUTIONAL/GOVERNMENTAL FACILITIES	700	OUTDOOR RECREATION
610	Administrative Institutions/Governmental Facilities	710	Cultural/Natural Activities
611	Administrative Buildings	712	Zoos
612	Post Offices	716	Nature Study Areas
613	Military Installations	721	Designated Historic/Cultural/Archaeological Sites
614	Municipal Garages	730	Land Related Activities
630	Safety Institutions/Governmental Facilities	731	Campgrounds
631	Police/Fire Stations/Offices	735	Lawns/Yards
637	Ancillary Municipal Safety Facilities	736	Parks/Parkways/Forest-Related Picnic Areas
638	Prisons or Jails	737	Separate Picnic Areas
640	Educational Institutions/Governmental Facilities	738	Lookout Tower
641	Pre-School/Day Care	741	Playfields/Ball Diamonds/Volleyball Courts
642	Primary Schools	745	Swimming/Wading Pools
643	Middle Schools	746	Tennis Courts
644	Secondary Schools	747	Trails
645	Vocational Schools	751	Athletic Fields
647	Two-Year Colleges/Universities	756	Ice Skating Rinks
648	Four-Year and Graduate Colleges/Universities	757	Roller Skating Rinks
651	Libraries	758	Ski Areas
652	Community Center	761	Golf Courses
655	Museums	762	Golf Driving Ranges
660	Health Institutions/Governmental Facilities	766	Archery/Gun/Skeet Ranges
661	Hospitals	768	Hunting Preserves
663	Clinics	769	Race Tracks
665	Long-Term Health Care Facilities	770	Other
680	Assembly Institutions/Governmental Facilities	780	Water Related Activities
681	Fairgrounds	781	Boat Launching Sites/Areas
682	Gymnasiums	782	Other Water Access Sites/Areas
683	Sports Stadium/Arenas	783	Marinas
684	Fraternal Organizations/Clubhouses	784	Lighthouse
690	Religious and Related Facilities	799	Vacant Outdoor Recreation
691	Churches/Temples/Synagogues		
694	Cemeteries		
699	Vacant Institutional/Governmental		
800	AGRICULTURE/SILVICULTURE	900	NATURAL AREAS
805	Open Space	910	Water
810	Croplands/Pastures	911	Lakes
830	Long-Term Specialty Crops	912	Reservoirs and Ponds
850	Animal Husbandry	913	Rivers and Streams
851	Fish Hatchery/Aquaculture	914	Canals and Channels
870	Farm Buildings/Accessories	930	Vital Natural Functions
880	Commercial Forests	936	Wildlife Refuges
899	Vacant Agriculture	937	Designated Scientific Sites/Areas
		950	Other Natural Areas, including Open Space
		951	Woodlands
		952	Wetlands
		953	Grasslands
		954	Beaches
		955	Bluffs
		960	Other Publicly-Owned Natural Areas
		990	Land Under Development
		99999	City or Village

APPENDIX X: DETAILED LAND USE INVENTORY

CODE	LAND USE CLASSIFICATION	ACRES
100	RESIDENTIAL	21,317.6
110	Single Family Residential	20,057.0
130	Two Family	26.8
150	Multi-Family	72.5
170	Group Quarters	3.9
180	Mobile Homes	1,069.4
190	Land Under Residential Development	17.3
199	Vacant Residence	70.7
200	COMMERCIAL	1,231.0
210	Retail Sales	880.5
230	Shopping Centers	3.7
250	Retail Services	298.8
270	Office Parks	0.7
299	Vacant Commercial	47.4
300	INDUSTRIAL	1,909.0
310	Manufacturing	303.3
340	Wholesaling	12.6
360	Extractive	1,459.1
381	Storage - Open	37.8
382	Storage - Enclosed	75.9
399	Vacant Industrial	20.4
400	TRANSPORTATION	6,343.7
410	Motor Vehicle Related	5,650.6
440	Rail Related	515.1
460	Air Related	178.0

CODE	LAND USE CLASSIFICATION	ACRES
500	COMMUNICATION/UTILITIES	359.8
511	Electric Power Plants	28.1
514	Telephone and Telegraph Terminals/Dispatch Centers	3.8
516	Radio/Television Stations	1.8
521	Natural Gas Terminals/Plants	11.2
535	Water Supply Filter Treatment Plants	0.9
540	Transmission of Communications/Utilities	1.0
542	Electric Power Substations	23.2
546	Radio/Television Transmission Towers/Antennae	10.3
552	Natural Gas Substations	2.7
556	Other Liquid Fuel Substations	0.5
572	Water Supply Booster/Pumping Stations	1.0
577	Water Supply Storage Tanks/Reservoirs	2.5
580	Waste Processing/Disposal/Recycling	35.0
581	Trash/Garbage Landfills	71.5
582	Other Trash/garbage Dumps	16.4
583	Sewage Treatment Plants	52.1
584	Sewage Sludge or Water Supply Chemical Disposal	4.0
586	Auto Salvage/Recycling/Disposals	81.6
588	Yard Waste	6.4
591	Solid Waste Separation/Recycling Plants	5.8
599	Vacant Communication/Utilities	0.1

CODE	LAND USE CLASSIFICATION	ACRES
600	INSTITUTIONAL/GOVERNMENTAL FACILITIES	767.5
610	Administrative Institutions/Governmental Facilities	91.3
611	Administrative Buildings	24.1
612	Post Offices	3.7
614	Municipal Garages	39.5
630	Safety Institutions/Government Facilities	1.8
631	Police/Fire Stations/Offices	21.1
637	Ancillary Municipal Safety Facilities	1.2
641	Pre-School/Day Care	11.8
642	Primary Schools	143.3
643	Middle Schools	15.9
644	Secondary Schools	31.4
647	Two-Year Colleges/Universities	1.4
651	Libraries	3.8
652	Community Center	7.8
655	Museums	1.1
661	Hospitals	7.0
663	Clinics	19.2
665	Long-Term Health Care Facilities	8.3
680	Assembly Institutions/Government Facilities	2.6
681	Fairgrounds	22.9
684	Fraternal Organizations/Clubhouses	37.4
690	Religious and Related Facilities	6.8
691	Churches/Temples/Synagogues	103.0
694	Cemeteries	151.6
699	Vacant Institutional/Governmental	9.6

CODE	LAND USE CLASSIFICATION	ACRES
700	OUTDOOR RECREATION	2,710.7
721	Designated Historic/Cultural/Archaeological Sites	5.1
731	Campgrounds	448.6
735	Lawns/Yards	11.0
736	Parks/Parkways/Forest-Related Picnic Areas	317.4
737	Separate Picnic Areas	6.8
741	Playfields/Ball Diamonds/Volleyball Courts	77.9
745	Swimming/Wading Pools	0.0
746	Tennis Courts	2.7
747	Trails	605.1
751	Athletic Fields	55.3
761	Golf Courses	924.4
762	Golf Driving Ranges	112.3
766	Archery/Gun/Skeet Ranges	91.4
768	Hunting Preserves	6.8
769	Race Tracks	2.5
781	Boat Launching Sites/Areas	30.0
782	Other Water Access Sites/Areas	5.8
783	Marinas	7.6
800	AGRICULTURE/SILVICULTURE	174,674.2
805	Open Space	978.5
810	Croplands/Pastures	169,134.0
830	Long-Term Specialty Crops	361.4
850	Animal Husbandry	148.4
851	Fish Hatchery/Aquaculture	15.9
870	Farm Buildings/Accessories	3,665.4
880	Commercial Forests	338.2
899	Vacant Agriculture/Silviculture	32.4

CODE	LAND USE CLASSIFICATION	ACRES
900	NATURAL AREAS	441,452.9
911	Lakes	5,900.4
912	Reservoirs and Ponds	6,240.7
913	Rivers and Streams	2,447.9
914	Canals and Channels	36.5
936	Wildlife Refuge	212.2
950	Other Natural Areas, including Wetlands	27,419.4
951	Woodlands	396,916.4
952	Wetlands	2,256.3
954	Beaches	1.7
960	Other Publicly Owned Areas	21.4
TOTAL		650,766.4

