

# TOWN OF NIAGARA

## 20-YEAR COMPREHENSIVE PLAN



**Prepared By:**  
**Bay-Lake Regional Planning Commission**  
**August 2009**

**TOWN OF NIAGARA  
MARINETTE COUNTY, WISCONSIN**

**CHAIRMAN:** Alfred Sauld  
**SUPERVISOR:** Mark DeClark  
**SUPERVISOR:** Richard Payette

**CLERK:** Dawn Johnson

**TREASURER:** Sharon Morin

**TOWN PLAN COMMISSION:** Bruce LaLiberte, Chairperson  
Alfred Sauld  
George Severson  
Don Mott  
Robert Sparks







RESOLUTION NO. 2009 - 1

**TOWN OF NIAGARA PLAN COMMISSION  
ADOPTION OF THE TOWN OF NIAGARA  
20-YEAR COMPREHENSIVE PLAN**

WHEREAS, Wisconsin Statutes 62.23 authorizes the adoption of a Comprehensive Plan for the general purpose of guiding and accomplishing coordinated, adjusted, and harmonious development of the Town;

AND WHEREAS, the Comprehensive Plan has been prepared by the Bay-Lake Regional Planning Commission which contains proposals, programs, descriptions, maps, and explanatory matter regarding natural resources, population, housing, economic development, transportation, land use, public facilities, outdoor recreation, and general plan design (future land use strategy) for the 20-year planning period;

AND WHEREAS, the Comprehensive Plan has been prepared in accordance with the elements of a plan as defined in Wisconsin Statutes 66.1001 (Smart Growth);

AND WHEREAS, the Comprehensive Plan has been drafted and reviewed by the Town of Niagara Plan Commission;

NOW, THEREFORE BE IT RESOLVED that the Town of Niagara Plan Commission hereby recommends to the Niagara Town Board that a Comprehensive Plan entitled: *Town of Niagara 20-Year Comprehensive Plan*, be adopted by the Town Board pursuant to Wisconsin Statutes Sections 62.23 and 66.1001(4).

Dated this 12<sup>TH</sup> day of AUGUST, 2009.

Resolution introduced and adoption moved by AL - STAUD.

Motion for adoption seconded by BOB SPARKS.

Voting Aye: 5 Nay: —

APPROVED:

  
Town of Niagara Plan Commission Chair

ATTEST:

  
Town of Niagara Plan Commission Secretary



**TOWN OF NIAGARA**  
**ORDINANCE NO. 2009-8-A**

An Ordinance to Adopt a Comprehensive Plan Pursuant to  
Wisconsin Statutes Section 66.1001 (Smart Growth)

WHEREAS, on August 25, 2007 Marinette County approved a contract with the Bay-Lake Regional Planning Commission to prepare a Multi-Jurisdictional Comprehensive Plan for Marinette County, to include the Town of Niagara, under the guidelines of Section 66.1001 Wisconsin Statutes; and,

WHEREAS, the project included a public participation plan in every stage of the process for preparation of a Comprehensive Plan for the Town of Niagara, which addressed provisions for wide distribution of the proposed elements of the Comprehensive Plan, and provided an opportunity for written comments to be received from the public and for the Town to respond to such comments; and,

WHEREAS, the Town of Niagara Plan Commission held a public hearing on August 12, 2009, which was preceded by a Class 1 Notice provided as described in Wisconsin Statutes Chapter 985 that was published at least 30 days before the hearing was held, and the notice included all of the following information:

1. The date, time and location of the hearing;
2. A summary of the proposed Comprehensive Plan;
3. The name of the individual in the Town of Niagara who may provide additional information regarding the proposed ordinance;
4. Information relating to where and when the proposed Comprehensive Plan could be inspected before the hearing, and how a copy of the Plan could be obtained; and,

WHEREAS, on August 12, 2009, the Town of Niagara Plan Commission recommended to the Town Board adoption of the Comprehensive Plan by resolution, which vote is recorded in the official minutes of the Land Use Planning Commission; and,

WHEREAS, the Town Board of the Town of Niagara, having carefully reviewed the recommendations of the Town of Niagara Plan Commission, having determined that all procedural requirements and notice have been satisfied, having given the matter due consideration, including consideration of the Plan elements relating to issues and opportunities, natural, agricultural and cultural resources, population and housing, economic development, transportation, utilities and community facilities, intergovernmental cooperation, land use and implementation, and having determined that the Comprehensive Plan will serve the general purposes of guiding and accomplishing a coordinated, adjusted and harmonious development of the Town of Niagara which will, in accordance with existing and future needs, best promote the public health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development.

NOW, THEREFORE, the Town Board of the Town of Niagara, Marinette County, Wisconsin, DOES ORDAIN AS FOLLOWS:

Section 1: The Comprehensive Plan recommended by the Town of Niagara Plan Commission to the Niagara Town Board, attached hereto as Exhibit A, is hereby adopted.

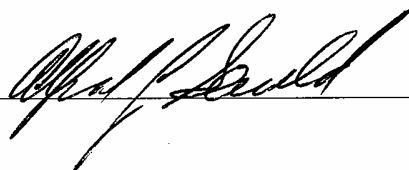
Section 2: The Town Clerk is directed to file a copy of the attached Comprehensive Plan for the Town of Niagara with all the following entities:

1. Every governmental body that is located in whole or in part within the boundaries of the Town of Niagara;
2. The Clerk of every local governmental unit that is adjacent to the Town of Niagara;
3. The Wisconsin Land Council;
4. The Wisconsin Department of Administration;
5. The Bay-Lake Regional Planning Commission;
6. The public library that serves the area in which the Town of Niagara is located.

Section 3: SEVERABILITY Several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall only apply to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms in conflict.

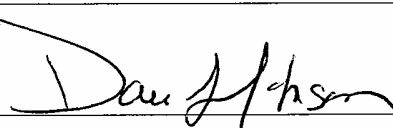
Section 4: EFFECTIVE DATE. This ordinance will take effect immediately upon passage and publication as provided by law

Adopted this 12<sup>th</sup> day of August 2009, by a majority vote of the members of the Town Board of the Town of Niagara.

\_\_\_\_\_  


, Town Board Chairperson

Attest:

\_\_\_\_\_  


, Town Clerk



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# **Volume I**

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## ***Town Plan***

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# **CHAPTER 1: INTRODUCTION**

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## PURPOSE OF THE COMPREHENSIVE PLAN

The *Town of Niagara 20-Year Comprehensive Plan* is a legal document providing the policy framework from which town officials will base their future land use decisions. This comprehensive plan was prepared to address the anticipated land use issues that will face the Town of Niagara over the next 20 years. This plan is to serve as a guide when making decisions regarding environmental protection, farmland preservation, transportation expansion, housing development, location of public services, and economic development. Utilization of this plan as a tool for making land use decisions will ensure the town's vision will be carried out in an appropriate and consistent fashion.

The town's 20-year vision is best illustrated by the Future Land Use Plan, which is made up of a future land use map and a classification scheme with recommendations for development within each of those classifications. The Future Land Use Map (Map 3.1) designates areas of the town for preferred land use activities and is the desired goal to be achieved through the implementation of this comprehensive plan. The Future Land Use Plan, along with the town's development strategies, shall be used in conjunction with Marinette County's zoning ordinances, local land use ordinances, supporting planning materials, and other implementation tools to make informed land use decisions in the Town of Niagara over the next 20 years.

### **State Planning Legislation**

The *Town of Niagara 20-Year Comprehensive Plan* was prepared to meet the requirements outlined in s. 66.1001, *Wis. Stats.*, by addressing the following nine elements:

- Issues and Opportunities
- Transportation
- Agriculture, Natural, and Cultural Resources
- Intergovernmental Cooperation
- Implementation
- Housing
- Utilities and Community Facilities
- Economic Development
- Land Use

The comprehensive planning legislation (s. 66.1001, *Wis. Stats.*) further states:

*Beginning on January 1, 2010, if a local governmental unit engages in any of the following actions, those actions shall be consistent with that local governmental unit's comprehensive plan:*

- (a) *Official mapping established or amended under s. 62.23 (6).*
- (b) *Local subdivision regulation under s. 236.45 or 236.46.*
- (c) *County zoning ordinances enacted or amended under s. 59.69.*
- (d) *City or village zoning ordinances enacted or amended under s. 62.23 (7).*
- (e) *Town zoning ordinances enacted or amended under s. 60.61 or 60.62.*
- (f) *Zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or 62.231.*

## HOW TO USE THIS PLAN

The *Town of Niagara 20-Year Comprehensive Plan* is made up of two volumes, which contain a total of 11 chapters. ***Volume I: Town Plan*** contains Chapters 1 through 4, along with appendices. ***Volume II: Marinette County Resources*** contains Chapters 5 through 11. The following text gives details regarding the contents of each portion of the plan:

***Volume I: Town Plan*** describes and illustrates the Town of Niagara's 20-year vision for future development. It includes detailed background information and data, land use projections, recommended strategies for guiding future development, the town's Future Land Use Plan (including a future land use map), and a framework for implementation.

***Chapter 1: Introduction*** contains an overview of the purpose of the plan; the planning legislation; plan development process; and provides the vision statement.

***Chapter 2: Inventory, Trends, and Forecasts*** provides town specific demographic information and data as well as housing and population projections for the future; identifies land use issues and conflicts; acknowledges continued land use trends; and projects future land use allocations for residential, commercial, industrial, and agricultural needs.

***Chapter 3: Future Land Use Plan*** illustrates a desirable future land use plan through a Future Land Use Plan and defines the characteristics of the future land uses through a series of land use recommendations.

***Chapter 4: Implementation*** details a work plan to implement the development strategies of the comprehensive plan.

***Volume II: Marinette County Resources*** contains countywide inventory and demographic information that serves as a framework for the town's 20-Year vision for future development.

***Chapter 5: Natural, Agricultural, and Cultural Resources*** provides a detailed description of the county's unique features that comprise its physical landscape.

***Chapter 6: Population and Housing*** presents countywide historic demographic information along with future population and housing projections.

***Chapter 7: Economic Development*** highlights labor force statistics; economic composition; and provides an analysis of existing and future economic conditions for the town and Marinette County.

***Chapter 8: Transportation*** describes the county's existing multi-modal transportation system.

***Chapter 9: Utilities and Community Facilities*** inventories all local and countywide utilities and facilities including schools and emergency services.

***Chapter 10: Intergovernmental Cooperation*** lists the results of three cluster level intergovernmental cooperation workshops as well as programs to facilitate joint planning and decision making processes with other government units.

***Chapter 11: Land Use Controls and Inventory*** provides a detailed inventory of existing land uses for each community and the county as a whole.

The **Appendices** contain public participation materials (nominal group results, public open house comments); a detailed list of available housing, economic development, and transportation financial and technical resources; supplemental natural resource information not included in the general inventory; a glossary of acronyms and definitions; and other relevant materials generated or gathered during the planning process.

## PLAN DEVELOPMENT PROCESS

The Town of Niagara was one of ten communities that entered into an agreement with Marinette County to participate in a multi-jurisdictional comprehensive planning process. The planning process was divided into three phases, which are detailed in the text below.

### ***First Phase* → Inventory of countywide information to be used in developing the local and county plans.**

This phase included the following activities:

- Collection and presentation of countywide background data.
- Incorporation of input received from Marinette County Comprehensive Planning Advisory Committee (MCCPAC) regarding necessary updates and revisions.
- Conducted two (2) Open Houses – one in the northern part of the county, and one in the southern part. The Open Houses allowed the public to review countywide background materials, ask questions, and provide feedback.
- Developed a preliminary draft of *Volume II: Marinette County Resources* to assist with the completion of the local and county comprehensive plans.

### ***Second Phase* → Completion and adoption of the local comprehensive plans.**

The following actions were taken during this phase to meet the requirement of s. 66.1001, *Wis. Stats.*:

- Analyzed Town of Niagara data to identify existing and potential conflicts.
- Developed the town's vision statement along with the land use goals, objectives, policies, and programs by using results from the various issue identification workshops and background data.
- Created a preliminary Future Land Use Plan and recommended land use strategy to guide future growth, development, and conservation within the town over the next 20 years.
- Marinette County Land Information Department and MCCPAC finalized *Volume II: Marinette County Resources*.
- Conducted two (2) intergovernmental cooperation workshops – one in the northern part of the county, and one in the southern part. The intergovernmental cooperation workshops allowed adjacent communities and agencies to review future land use plans in the area and discuss intergovernmental cooperation issues and successes in Marinette County.
- Public review and final Open House conducted to present the *Town of Niagara 20-Year Comprehensive Plan* to the citizens of the community as well as nearby municipalities

and government agencies for their feedback. Comments were considered and included in the town's comprehensive plan when appropriate.

***Third Phase → Completion and adoption of the Marinette County 20-Year Comprehensive Plan.***

To complete this phase, background information and data gathered in the first phase, along with the adopted local comprehensive plans completed during the second phase, were utilized to create a generalized future land use plan for Marinette County. This phase primarily involved the Marinette County Land Information Department, the MCCPAC, and other groups and agencies.

## **Public Participation Process**

### **Public Participation Plan**

A major element of the town's comprehensive planning process was gathering public input. In accordance with s. 66.1001(4), *Wis. Stats.*, the Town of Niagara approved "*Procedures for Adoption or Amendment of the Town of Niagara Comprehensive Plan.*" A copy of these written procedures is included in Appendix A of this plan.

The town held monthly meetings that were open to the general public to review background data, finalize each plan element, and create the Town of Niagara 20-Year Future Land Use Plan. In addition to these planning meetings, issue identification exercises (i.e., Nominal Group and Intergovernmental Cooperation Workshop) and open houses were used to gather extra input from the public.

### **Nominal Group Exercise**

In a meeting of the northern Marinette County towns held in August 2008, members of the Town of Niagara Plan Commission participated in a Nominal Group Exercise along with the Towns of Dunbar, Pembine, and Goodman. The purpose of this exercise was to identify issues and concerns regarding future development in the Town of Niagara and the northern Marinette County.

Relevant issues were considered during the development of the goals, objectives, policies, and programs for the town's comprehensive plan. Issues identified for the Town of Niagara through the nominal group exercise include:

- Develop park/campground to attract tourism
- Eliminate waste from industry
- Local control over industry waste
- No condos/apartments on river
- Park and ride on 141/8 intersection and truck safety pull-out
- Develop business along 141/8 corridors
- Town should acquire land on Menominee River for park/campground
- Possibility of obtaining county land for industrial park
- Town should have garbage pick up
- Turning land/pull-off on Morgan Park Rd.
- Communication between committee and town board getting better
- Improve road funding
- Open up county land for all types of trail system

All results collected from the towns through the Nominal Group Exercises held as part of this multi-jurisdictional planning process can be found in Appendix B.

### **Visioning Exercise**

A visioning exercise was conducted with the Town of Niagara Comprehensive Plan Commission to describe the future of various elements discussed in the town's comprehensive plan, including natural resources, economic development, and housing. The visioning process was used to provide a foundation for developing the Town of Niagara 20-Year vision statement and to generate development strategies to implement the *Town of Niagara 20-Year Comprehensive Plan*. The town's vision statement is displayed later in this chapter.

### **Economic Workshop**

An Economic Workshop was conducted in September 2008 with the communities in northern Marinette County. Representatives from each of the communities within the northern towns were invited to attend the workshop, along with Marinette County Planning Advisory Committee, county officials, business leaders, and key civic and non-profit organizations.

This strategic planning workshop for economic development identified Marinette County's **S**trengths, **O**pportunities, **A**spirations, and **R**esults (S.O.A.R.) with respect to the county's economic situation. The analysis provided a broad overview of where the county is currently and what its economic composition may be in the future. If Marinette County is to develop and maintain a vibrant and diversified economic foundation, the county needs to maximize its strengths, explore opportunities, consider its aspirations, and evaluate the results.

The results of the S.O.A.R. evaluation provided guidance for drafting economic development goals and identifying appropriate tools for the implementation of this portion of the Comprehensive Plan. The outcomes from the Economic Workshop are displayed in Appendix C.

### **Intergovernmental Cooperation Workshop**

An Intergovernmental Cooperation Workshop was conducted in May 2009 with the communities in northern Marinette County. Representatives from each of the communities within the northern towns were invited to attend the workshop, along with neighboring municipalities, school districts, fire departments, pertinent state (both Wisconsin and Michigan) and federal agencies, and other entities and departments that may be directly impacted by the implementation of the area's comprehensive plans.

The workshop collected input on existing or potential conflicts or positive relationships between the communities and their surrounding government jurisdictions. Participants were also asked to provide potential resolutions to the identified issues or concerns. The items applicable to the Town of Niagara were addressed during the comprehensive plan development process or incorporated into the implementation portion of the comprehensive plan. The list of positive relationships, issues and conflicts, and resolutions from the Intergovernmental Cooperation Workshop are displayed in Appendix D.

## Open Houses

Two (2) open houses were conducted at different points throughout the planning process to present background information and plan recommendations to the public. The first open house was held for the towns in the northern portion of Marinette County to present countywide information that was to develop *Volume II: Marinette County Resources* of the *Town of Niagara 20-Year Comprehensive Plan*.



The second open house, held exclusively for the Town of Niagara, was conducted at the conclusion of the second phase of the planning process. The purpose of this open house was to allow residents of the town and other interested individuals the opportunity to review and comment on the town's completed draft plan.

## VISION STATEMENT

The following is the Town of Niagara 20-Year Vision Statement as prepared by members of the Comprehensive Plan Commission:

*The Town of Niagara, a rural community with a proud history, is committed to preserving open space and natural resources while providing its residents and visitors with appropriate services, infrastructure, and recreational opportunities.*

*The Town residents, supported by the Town Board and Town Planning Commission, will direct growth and development in a way that will allow the town to maintain its unique character and quality of life, thus making the town an ideal place to visit and reside.*

*Land Use policies will be implemented to create a system of well-planned, orderly development.*

*New development will be limited and carefully guided so that the landscape remains uncluttered and the natural amenities protected, so current and future generations can enjoy the unique wildlife, clean waters, and wooded lands that epitomize the community.*

# **CHAPTER 2: INVENTORY, TRENDS, AND FORECASTS**

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## INTRODUCTION

This section of the *Town of Niagara 20-Year Comprehensive Plan* provides a summary of the town's resource elements, which are also inventoried in *Volume II: Marinette County Resources*. The town's past trends and potential forecasts for population, housing, economic development, and land use are also presented in this chapter.

Ultimately, the information described in this portion of the town's comprehensive plan provides the foundation for the development of the Town of Niagara 20-Year Future Land Use Plan (Chapter 3 of this document).

## COMMUNITY INVENTORY

### Description of Planning Area

The Town of Niagara is located in northern Marinette County and lies partially within the boundaries of the Marinette County Forest. The town encompasses an area of approximately 68 square miles or 43,746 acres. It is bounded by the Town of Pembine (Marinette County) to the south, the towns of Aurora (Florence County) and Dunbar (Marinette County) to the west, and the Menominee River (with the Michigan county of Dickinson across the river) to the north and east. Map 2.1 illustrates the general location of the Town of Niagara in Wisconsin, while Map 2.2 displays the planning area.

### Community Resources

#### **Natural Resources**

Natural resources are often a defining feature for local communities. People depend on natural resources to provide a clean and abundant supply of groundwater; assure good air quality; and provide natural landscapes that are fundamental to a healthy and diverse biological community.

The resources that lie beneath the ground are very important when considering future development. The area of the state in which Niagara is located, known as the Northern Highlands region, was once a mountainous area. Centuries of erosion eventually removed the mountains leaving behind bedrock comprised of granite and a mixture of igneous rocks and a topography that features some of the highest elevations in the state of Wisconsin. Nearby Thunder Mountain rises 1,375 feet above sea level and McCaslin Mountain has been measured at 1,625 feet above sea level.

Watersheds represent the total land area from which water drains into a particular body of water. The Town of Niagara is completely contained within the Pemebonwon and Middle Menominee Rivers Watershed. This watershed drains to Lake Michigan via Green Bay. The Pemebonwon and Middle Menominee Rivers Watershed contains a number of smaller subwatersheds. These subwatersheds are the areas of water flow to smaller surface waters within the larger watershed.

Deposition of sediment and runoff into these drainage basins can greatly impact an area's water resources. Therefore, it is imperative to be mindful of land practices that can jeopardize water quality in the basin. Protection of area watersheds, lead to protection of the town's surface waters. Surface waters are abundant in the northern portion of Marinette County and play a significant role in the everyday life of the Town of Niagara's residents and visitors.

The town contains 10 named lakes and flowages, 5 named rivers and streams, and a number of other smaller and unnamed surface waters. Major surface waters found in Niagara include Little Quinnesec Falls Flowage, Big Quinnesec Falls Flowage, Lake Shannon, Timm’s Lake, Echo Lake, Twin Lake, Menominee River, and North Branch Pemebonwon River.

The Town of Niagara is heavily forested, approximately 87 percent. There are 37,475 acres of woodlands in the town – comprised primarily of county forest lands. Approximately 47 percent of land in the town is part of the Marinette County Forest. The county forest is managed for a number of different uses including timber harvesting, forest preservation, and recreation.

The Town of Niagara contains no State Scientific and Natural Areas, State Wildlife and Fishery Areas, or Land Legacy Places. For more information regarding State Scientific and Natural Areas, State Wildlife and Fishery Areas, and Land Legacy Places and their designations see Chapter 5 of *Volume II: Marinette County Resources*.

### ***Environmental Corridors***

Other areas of natural significance have been identified as falling within an environmental corridor. An environmental corridor is a portion of the landscape that contains and connects water, natural areas, green space, and scenic, historic, scientific, recreational, or cultural resources. In developing this comprehensive plan, the following criteria were utilized in delineating the environmental corridors in the Town of Niagara:

- WDNR inventoried wetlands (> 2 acres) with a 50-foot buffer;
- 100-year floodplains;
- Steep slope ( $\geq 12\%$ ); and
- Surface waters with a 75-foot buffer.

Each individual feature within the environmental corridors is referred to in this plan as a “plan determinant.” Map 2.3 illustrates the plan determinants of the Town of Niagara. For more information regarding environmental corridors, wetlands, floodplains, soils, and surface waters please see Chapter 5 of *Volume II: Marinette County Resources*.

These environmental corridors, along with other identified areas of environmental significance, should be considered when making decisions regarding future development in Niagara. These spaces serve a vital role in protecting local water quality; serving as buffers between different land uses; controlling, moderating, and storing floodwaters; providing nutrient and sediment filtration; and providing fish and wildlife habitat and recreational opportunities.

### ***Agricultural Resources***

There are a number of areas in Niagara that can be designated as having prime agricultural soils. The USDA, Natural Resources Conservation Service defines prime agricultural soils as lands that have the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops, with minimum inputs of fuel, fertilizer, pesticides, and labor, and without intolerable soil erosion. Prime agricultural soils can be split into three types: prime farmland, farmland of statewide importance; and prime farmland only where drained (for definitions of these soil types see Chapter 5 of *Volume II: Marinette County Resources*). Approximately 3,483 acres of land in the town are comprised of prime farmland soils. Map 2.4 illustrates the location of the prime agricultural soils in Niagara.

**Cultural Resources**

Cultural resources are typically sites, features, and/or objects of some importance to a culture or a community for scientific, aesthetic, traditional, educational, religious, archaeological, architectural, and historic reasons. Within the Town of Niagara, there are no listed properties in the Wisconsin National Register of Historic Places (NRHP). However, it is likely that the Wisconsin Historical Preservation Database (WHPD) contains records of archaeological sites and historic structures. Site-specific verification of historic and archaeological data with the WHPD is recommended.

**Economic Resources**

Being a rural community, the town’s primary economic components consist of its natural resources including woodlands, water, open space, recreational resources, and the County Forest that bring in tourism and seasonal population dollars.

**Transportation**

The Town of Niagara should continue to ensure that its transportation amenities are maintained and improved to allow for safe and efficient movement. The town contains approximately 72 miles of roadway, with State Highways 141 and 8, and County Highway O being the main transportation corridors through the community (Table 2.1).

Table 2.1: Road Miles by Functional Classification, Town of Niagara, 2008

Geographic Location	Gross Miles	County Miles	Local Road/ Street Miles	County Jurisdiction		Local Jurisdiction		
				Arterial Collector	Local	Arterial Collector	Local	
Town of Niagara	71.53	8.42	63.11	-	8.42	-	14.24	48.87

Note: This table does not include the functional classification of state trunk highways (including Interstate and U.S. marked highways). Most state trunk highways are functionally classified as principal arterials.

Source: Wisconsin Department of Transportation, *Wisconsin Information System for Local Roads (WISLR)*, 2008; and Bay-Lake Regional Planning Commission, 2008.

**Utilities and Community Facilities**

An assessment of existing community and public facilities is undertaken to determine any current or future issues that may cause potential problems in meeting future development needs. Information regarding county-wide community and public facilities, including location and serviceability can be found in Chapter 9 of Volume II: Marinette County Resources.

The Niagara Town Hall is located at W7250 US Hwy 8. The Town Hall provides office space for the town clerk, a location for town meetings, and a polling location. The town fire department is located on Jackson Street and there are a number of dry hydrants throughout town for fire suppression. The town does not supply its own police protection. Instead, the Marinette County Sheriff’s Department provides police services to the town’s residents. The County Sheriff’s Department is on University Drive in the City of Marinette and has one squad that covers the northern patrol zone, which



includes Niagara. A minimum of two additional squads are available at any time for backup in any of the county's three patrol zones. The County Sheriff's Department provides assistance to fire departments, rescue squads, and city and village police departments as needed. Niagara also relies on the Marinette County Jail for any incarceration needs.

All of the water used by the Town of Niagara and its residents comes from groundwater. There is no municipal water supply in the town; therefore, all potable water is supplied via private individual or shared wells. Fertilizers, manure, land application of sewage, pesticides, on-site sewage disposal systems, chemical spills, leaking underground storage tanks, landfills, existing land uses, and landowner practices are all potential pollutants for drinking water wells. The susceptibility of groundwater to contamination from these activities can be highly variable depending on location. Depth to bedrock, aquifer type, soil type, and depth to groundwater are all factors thought to influence susceptibility. Overall the groundwater in Niagara is generally of good quality according to the *Soil Survey of Marinette County, Wisconsin*. Iron may be detected in some areas, but is not considered a health problem.

Residents and visitors of the Town of Niagara can seek non-emergency medical attention from a number of clinics located in the City of Niagara. In emergency situations, the nearest hospital to Niagara residents is Dickinson Memorial Hospital located at 1721 S. Stephenson Avenue in Iron Mountain, Michigan. There are a number of adult care facilities located in the City of Niagara and surrounding communities.

Solid waste disposal in the Town of Niagara is provided by Great American Disposal, which provides a drop-off area for the town's various solid waste and recyclables. The waste is hauled to a landfill in Michigan.

Map 2.5 displays the utilities and community facilities within the Town of Niagara, including the location of the Town Hall, dry hydrants, utility lines, and railroad lines.

### **Parks and Recreation**

Morgan Park is a 160-acre county owned park located in the Town of Niagara on Timm's Lake Road providing camping (32-sites), a beach and swimming (on Timm's Lake), a lodge, lake and stream fishing, a boat landing, a playground, rock outcroppings, and an overlook. The Town of Niagara contains most of the Rocky Trails Waterfalls Tour, which encompasses Smalley Falls and Long Slide Falls (both off of Morgan Park Road). There are also a number of trails located throughout the town providing hiking. Several trails are dedicated for a multiple uses including snowmobiling, ATV riding, cross-country skiing, and horseback riding. Map 2.6 displays the recreation opportunities in the Town of Niagara.

### **Land Use Inventory**

A detailed field inventory of land uses in the Town of Niagara was completed by the Bay-Lake Regional Planning Commission in 2008. A Standard Land Use Classification was used to assist in the town's land use collection process. Please see Chapter 11 of *Volume II: Marinette County Resources* for a description of these categories.

A breakdown of the town's land uses and acreages is shown in Table 2.2 (Appendix E contains the town's detailed land use calculations). Map 2.7 displays the 2008 Town of Niagara land use.

Table 2.2: Land Use, Town of Niagara, 2008

Land Use Type	Total Acres	Percent of Developed Land	Percent of Total Land
<b>DEVELOPED LAND</b>			
Residential	211.4	16.5%	0.48%
Single Family	198.7	15.5%	0.45%
Two-Family	0.01	0.0%	0.00%
Mobile Homes	9.4	0.7%	0.02%
Vacant Residential	3.3	0.3%	0.01%
Commercial	16.6	1.3%	0.04%
Industrial	37.2	2.9%	0.09%
Transportation	892.9	69.7%	2.04%
Communications/Utilities	4.6	0.4%	0.01%
Institutional/Governmental	4.3	0.3%	0.01%
Outdoor Recreational	56.2	4.4%	0.13%
Agricultural Structures	58.6	4.6%	0.13%
<i>Total Developed Acres</i>	1,281.8	100.0%	2.9%
Land Use Type	Total Acres	Percent of Developable	Percent of Total Land
<b>UNDEVELOPED LAND</b>			
Agriculture/Silviculture	1,985.1	4.7%	4.7%
Woodlands	37,474.7	88.3%	88.3%
Other Natural Areas	2,229.1	5.3%	5.3%
Water Features	762.7	1.8%	1.8%
<i>Total Undeveloped Acres</i>	42,451.7	100.0%	97.1%
<i>Total Land Area (acres)</i>	43,733.43		

Source: Bay-Lake Regional Planning Commission, 2008.

## DEMOGRAPHIC TRENDS AND FORECASTS

### Population

#### Historic Population Trends

Analyzing the historical change in population and housing trends and characteristics is important to help understand the current and future needs of a community's population. This section provides an overview of past demographic information and offers a look into the future regarding the potential growth in population the Town of Niagara could experience during the next 20 years. The projected increase in population does facilitate further discussion within this comprehensive plan on changes in land uses and resulting impacts to the natural features as well as the need for future services and the ability and capacity of the town to provide them.

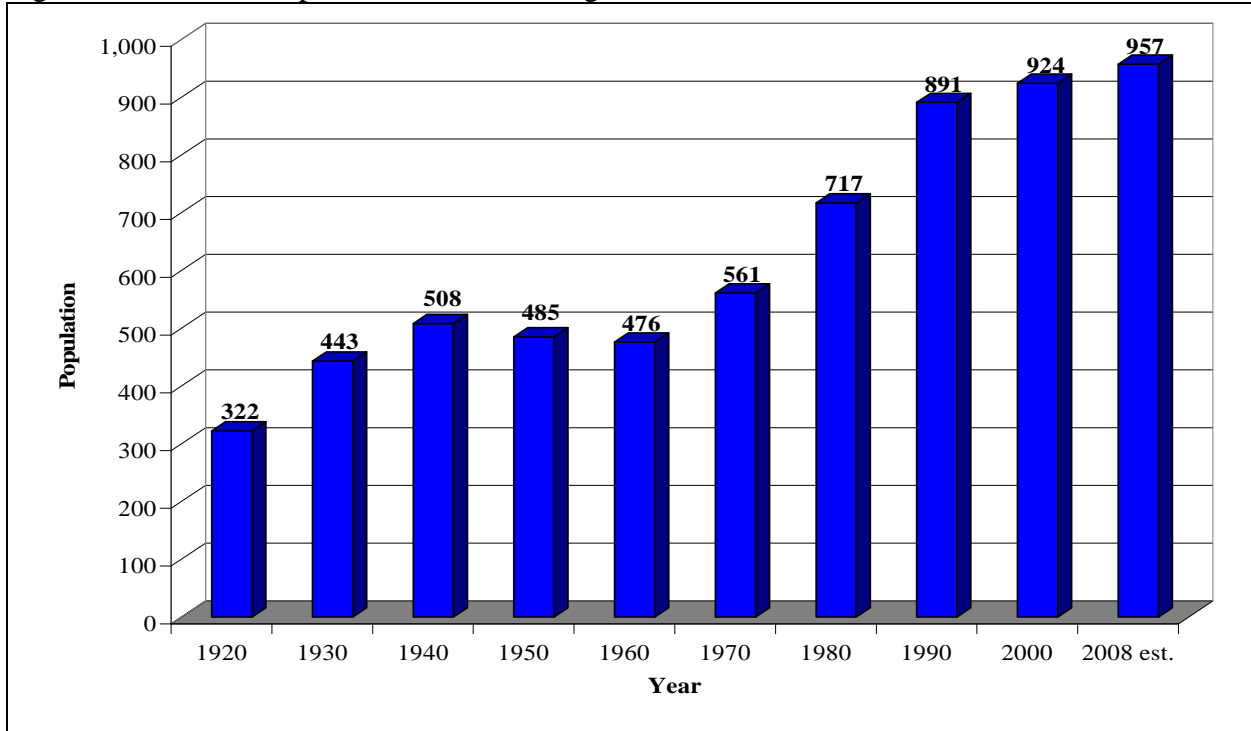
As illustrated by Figure 2.1, the Town of Niagara experienced an increasing population from 1920 to 1940. From 1940 to 1970, the town's population fluctuated a bit, but overall it remained fairly

*Town of Niagara  
Year 2000 Population  
Characteristics*

Population: 924  
Median Age: 38.3  
Age Groups:  
    5-17: 29%  
    18-64: 59%  
    65+: 12%

stable at an average population of 508 persons. The town’s population began increasing significantly in 1970 and has added 363 new residents, or a 65 percent increase, during the past 30 years. The town population is estimated to have increased to 957 persons by 2008, according to the Wisconsin Department of Administration (WDOA). This reflects an estimated increase of 33 persons over the past 8 years, or 4 percent.

Figure 2.1: Historic Population, Town of Niagara, 1920 - 2000 and 2008 Estimate



Source: U.S. Bureau of the Census, General Population Characteristics 1840-1970, Bay-Lake Regional Planning Commission, December 1975; U.S. Bureau of the Census, Census of Population and Housing, 1980, 1990, and 2000; Wisconsin Department of Administration, 2007; Bay-Lake Regional Planning Commission, 2008.

### Population Projections

By analyzing past population trends, it is possible to project future growth. The use of forecasting calculates, or predicts, a future number by using existing figures. By projecting future population growth over this 20-year planning period, it will enable the Town of Niagara to better understand and prepare for its future needs for housing, utilities, transportation, recreation, and a number of other population influenced services.

For this comprehensive plan, Niagara utilized three separate forecasting methods to determine a range of future population scenarios:

- 1) WDOA projections developed in 2008;
- 2) Growth Projection; and
- 3) Linear Projection.

The Wisconsin of Administration’s projections are based on past and current population trends, and are intended as a base-line guide for users. The Linear Trend projects numbers that fit a straight trend line, while a Growth Trend projects numbers that fit an exponential curve. More information on these projection methods and how the Town of Niagara compares to Marinette

County and local municipalities can be found in Chapter 6 of *Volume II: Marinette County Resources*.

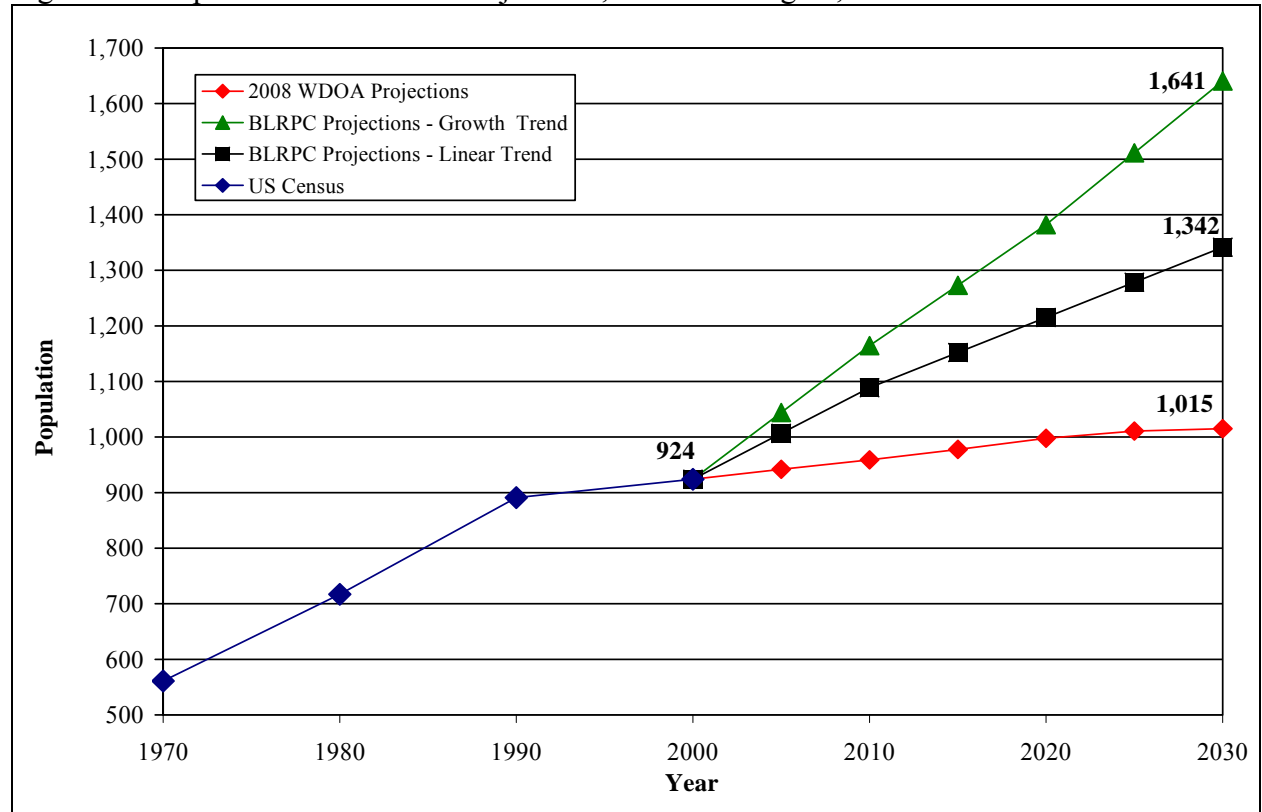
Based on these three forecasting methods, the Town of Niagara can anticipate the total number of residents to increase between 1,015 and 1,641 persons by 2030 from the 2000 U.S Census population of 924 persons. Table 2.3 and Figure 2.2 illustrate these projections.

Table 2.3: Population Trends and Projections, Town of Niagara, 1970 - 2030

	1970	1980	1990	2000	2005	2010	2015	2020	2025	2030
US Census	561	717	891	924						
2008 WDOA Projections				924	942	959	978	998	1,011	1,015
BLRPC Projections - Linear Trend				924	1,007	1,089	1,152	1,215	1,278	1,342
BLRPC Projections - Growth Trend				924	1,044	1,164	1,273	1,382	1,511	1,641

Source: U.S. Bureau of the Census, Census of Population and Housing, 1970 - 2000; Wisconsin Department of Administration, Official Population Projections for Wisconsin Municipalities, 2000 - 2030, 2008; and Bay-Lake Regional Planning Commission, 2009.

Figure 2.2: Population Trends and Projections, Town of Niagara, 1970 - 2030



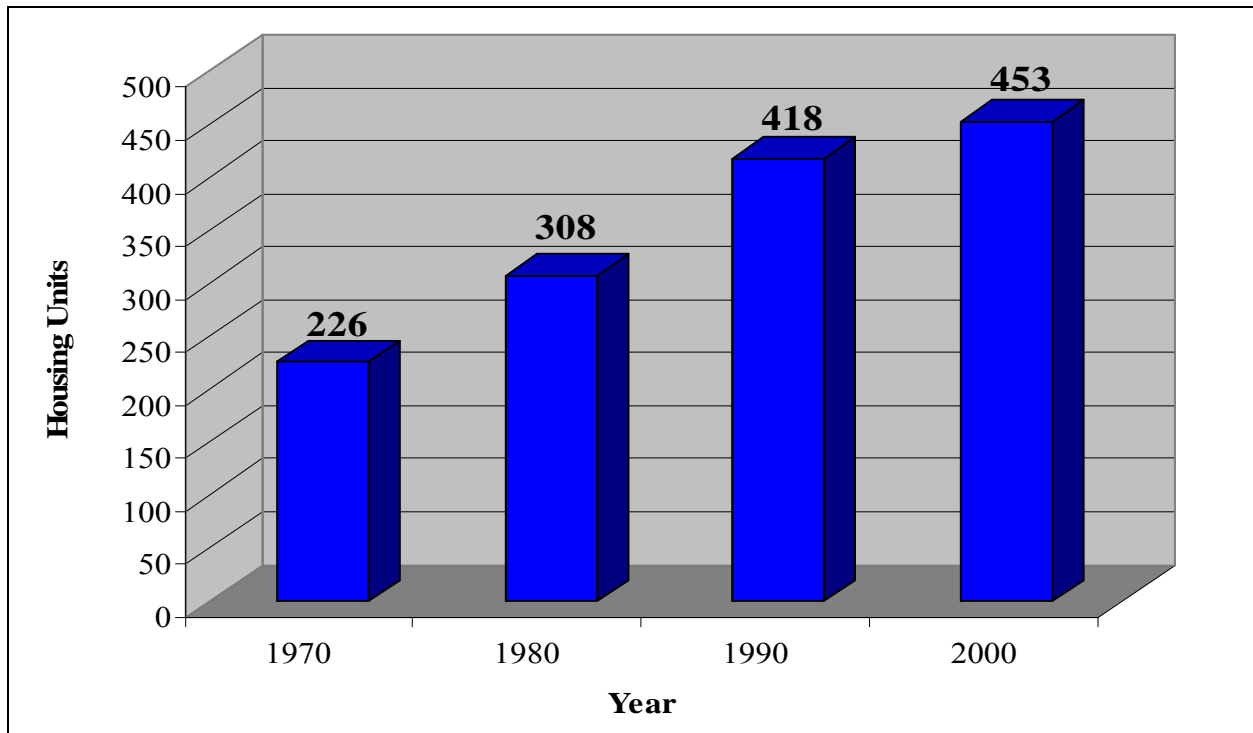
Source: U.S. Bureau of the Census, Census of Population and Housing, 1970 - 2000; Wisconsin Department of Administration, Official Population Projections for Wisconsin Municipalities, 2000 - 2030, 2008; and Bay-Lake Regional Planning Commission, 2009.

## Housing

### Housing Trends and Characteristics

As reported by the U.S. Census and illustrated by Figure 2.3, the Town of Niagara's total number of housing units increased by 227 units between 1970 and 2000, or 100.4 percent. The town experienced its large increases in housing units from 1970 to 1980 and from 1980 to 1990 with 36.3 and 35.7 percent increases respectively.

Figure 2.3: Historic Housing Units, Town of Niagara, 1970 - 2000



Source: U.S. Bureau of the Census, 1970, Series 100, Table 2; 1980 Census of Population and Housing, STF 1A, Table 4; 1990 Census of Population and Housing, STF 1A; 2000 Census; WDOA Revised Census Counts, 2000 and 2003; and Bay-Lake Regional Planning Commission, 2008.

### Housing Projections

The same methodology used to project population forecasts was also used to determine future housing numbers for the Town of Niagara. These three different projection methods helped to estimate future occupied housing unit numbers:

- 1) WDOA projections developed in 2008;
- 2) Growth Projection; and
- 3) Linear Projection.

These projections reflect future occupied housing units only, which means vacant housing units are not included. Table 2.4 and Figure 2.4 illustrate the occupied housing unit projections. Using the number of occupied housing unit of 348 (2000 Census) as a basis, the town could experience from 434 to 809 new occupied housing units by 2030. In addition to the projected occupied housing units, Table 2.4 also highlights the gradual decline in the number of persons per household that Niagara will experience during this planning period from 2.66 in 2000 to 2.35 by 2030. This indicates the town will have an older population and smaller families, which will have an impact on the overall service needs of Niagara's residents.



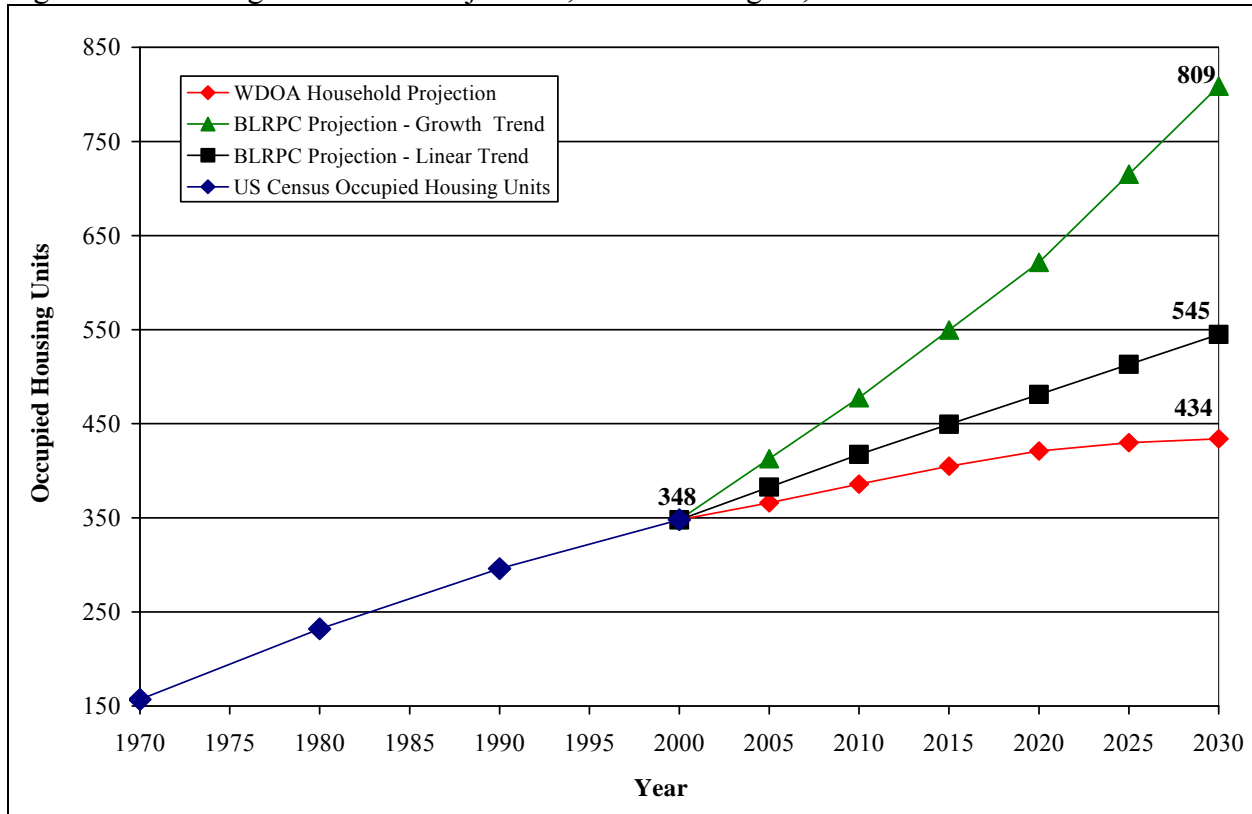
More information on housing characteristics as well as projection methods for Marinette County and all of its municipalities can be found in Chapter 6 of *Volume II: Marinette County Resources*.

Table 2.4: Occupied Housing Trends and Projections, Town of Niagara, 1970 - 2030

	1970	1980	1990	2000	2005	2010	2015	2020	2025	2030
US Census Occupied Housing Units	157	232	296	348						
WDOA Household Projection				348	366	386	405	421	430	434
BLRPC Projection - Linear Trend				348	383	418	449	481	513	545
BLRPC Projection - Growth Trend				348	413	478	550	622	715	809
Household Size				2.66	2.59	2.50	2.44	2.40	2.37	2.35

Source: U.S. Bureau of the Census, 1970 - 2000 Census of Population and Housing; Wisconsin Department of Administration, Official Household Projections for Wisconsin Municipalities, 2000 - 2030, 2008; and Bay-Lake Regional Planning Commission, 2009.

Figure 2.4: Housing Trends and Projections, Town of Niagara, 1970 - 2030



Source: U.S. Bureau of the Census, 1970 - 2000 Census of Population and Housing; Wisconsin Department of Administration, Official Household Projections for Wisconsin Municipalities, 2000 - 2030, 2008; and Bay-Lake Regional Planning Commission, 2009.

### Economic Development

Niagara’s economy is influenced primarily by its woodlands and water resources. The woodlands and water features promote tourism and attract a number of seasonal residents, which further enhances opportunities for local retailers and service providers.

**Labor Force Characteristics**

Just over 67 percent of the residents of Niagara are part of the civilian labor force (persons sixteen years of age or older who are employed or seeking employment). Of those that are part of the town’s labor force, the majority, 60.2 percent, are employed in one of two occupations – management, professional, and related (32.1 percent); and sales and office (28.1 percent). Another 16.5 percent are employed in the production, transportation, and material moving occupation, and 12.7 percent in the service occupation. Figure 2.5 illustrates the occupation of employed persons living in the Town of Niagara in 2000.

*Town of Niagara  
Year 2000 Economic Characteristics*

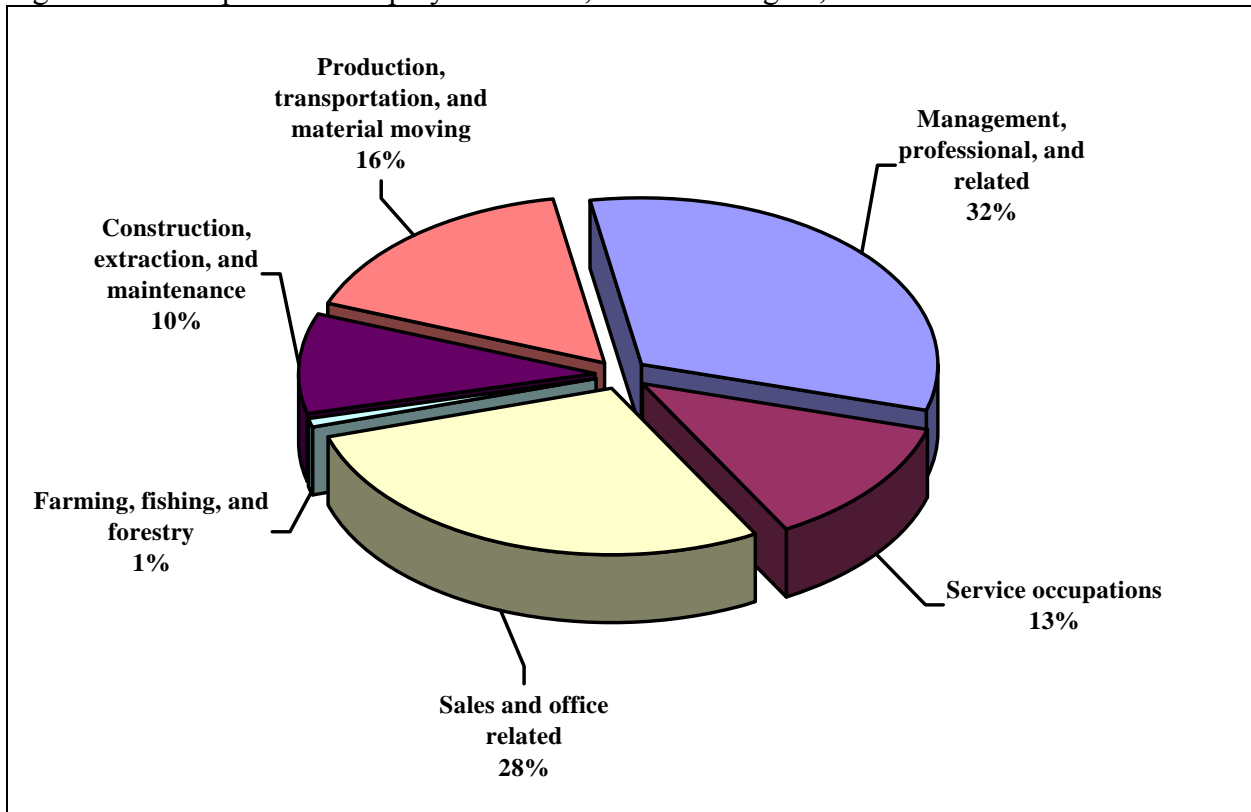
1999 Median Household Income: \$40,250

Employment Status:  
**Employed: 65.7%**  
**Unemployed: 1.5%**  
**Not in Labor Force: 32.8%**

Mean Commute-to-Work Time: 16 minutes

Education Levels (Ages 25 & over):  
**High School Graduate: 42%**  
**Some College (no degree): 19%**  
**Associate Degree: 8%**  
**Bachelor’s Degree: 13%**  
**Graduate or Professional Degree: 5%**

Figure 2.5: Occupation of Employed Persons, Town of Niagara, 2000



Source: U.S. Bureau of the Census, Census 2000; and Bay-Lake Regional Planning Commission, 2008.

As presented by Table 2.5, jobs related to manufacturing employed nearly 26 percent of the town’s residents. Another 21.1 percent were employed in educational, health, and social services; and 12.7 percent in retail trade.

Table 2.5: Employment by Industry Group, Town of Niagara, 2000

Industry	Number	Percent
Manufacturing	122	25.8%
Educational, health and social services	100	21.1%
Retail trade	60	12.7%
Arts, entertainment, recreation, accommodation and food services	37	7.8%
Construction	36	7.6%
Finance, insurance, real estate, and rental and leasing	25	5.3%
Transportation and warehousing, and utilities	22	4.7%
Agriculture, forestry, fishing and hunting, and mining	17	3.6%
Information	15	3.2%
Professional, scientific, management, administrative, and waste management services	13	2.7%
Other services (except public administration)	10	2.1%
Wholesale trade	9	1.9%
Public administration	7	1.5%
<b>Total</b>	<b>473</b>	<b>100.0%</b>

Source: U.S. Department of Commerce, Bureau of Economic Analysis, REIS 1969-2000; and Bay-Lake Regional Planning Commission, 2008.

**Commuting Patterns**

Town of Niagara residents, including those that work in the town, reported their average commute time to be 16 minutes to and from work. In 2000:

- Approximately 66 percent or 313 of 473 of the employed residents of the town worked outside of the Town of Niagara. Of those, the majority commute to the Michigan cities of Iron Mountain (105 residents), and Kingsford (50 residents), and City of Niagara (47 residents).
- 153 individuals live and work in the Town of Niagara.
- 151 individuals commute to the Town of Niagara to work. The top communities from which they commute are the City of Niagara (58 individuals), City of Iron Mountain (Michigan) (18 individuals), and the Town of Aurora (Florence County) (16 individuals).

**Economic Base**

Full value can be defined as the actual taxable valuation of real property on tax rolls. A community’s full value is often used by states to appropriate state aid and to limit locally imposed taxes. As shown in Table 2.6, the Town of Niagara’s full value increased almost 83 percent between 2000 and 2007. Over the same time span, the town’s total property tax also increased by over \$306,000, or just less than 34 percent.

The Town of Niagara’s debt as of December 31, 2006 was \$20,000. This is less than one percent of the town’s allowed debt limit and less than half a percent of the town’s full value. Overall, the

town has access to considerable financing for future projects and has a history of good financial standing.

Table 2.6: Full Value and Total Property Tax, Town of Niagara, 2000 - 2007

Year	Full Value	% Full Value Increase from Previous Decade	Total Property Tax	% Property Tax Increase from Previous Decade
2000	\$42,267,300	-	\$909,422	-
2001	\$46,191,800	9.3%	\$978,937	7.6%
2002	\$50,710,500	9.8%	\$987,002	0.8%
2003	\$54,794,900	8.1%	\$1,087,935	10.2%
2004	\$59,458,900	8.5%	\$1,162,211	6.8%
2005	\$66,413,500	11.7%	\$1,092,456	-6.0%
2006	\$72,330,500	8.9%	\$1,208,836	10.7%
2007	\$77,137,600	6.6%	\$1,215,919	0.6%

Source: Wisconsin Department of Revenue, City, Village and Town Taxes, for years cited; and Bay-Lake Regional Planning Commission, 2008.

**Sites for Redevelopment**

By utilizing the WDNR Bureau for Remediation and Redevelopment Tracking System (BRRTS) it is possible to inventory all of the environmentally contaminated sites that may be used for commercial or industrial uses.

According to this tracking system, there has been one environmental incidence (as of January 1, 2009) that have occurred in the Town of Niagara, including leaking underground storage tank (LUST) sites, environmental repair (ERP) sites, and spill sites. This one environmental incidence is the Niagara Town Shop LUST site. The site is now a “closed” site and eligible for redevelopment.

For more information regarding economic characteristics of Marinette County and its municipalities see Chapter 7 of *Volume II: Marinette County Resources*.

**LAND USE TRENDS AND FORECASTS**

**Existing Land Use Considerations**

As the town continues to prepare for future development, it is necessary to recognize and acknowledge any existing land use issues or conflicts. These areas of concern, as highlighted below, may cause problems for future planning activities and will need to be addressed within the Future Land Use Plan context and the implementation strategies outlined in the comprehensive plan.

- Almost 47 percent of land within town is under public ownership.
- Development pressures on natural features, primarily surface waters and forest. Very few areas available for development around lakes without impeding on environmental corridors and existing water quality.
- The ongoing fragmentation of natural areas (woodlands, open space) and agriculture land limits the ability to implement and sustain management plans.

- The large amount of county forest limits development options in the southern part of the town.
- The town has a limited number of recreation facilities including parks, trails, and campgrounds.
- The residential development in town lack connectivity.
- There is a lack of new development/investment.
- There are several existing non-metallic mining operations and more anticipated to open during the planning period.

### **Anticipated Land Use Trends**

The steady increase in fuel prices will be a major consideration for where people chose to live and work. Niagara's location, transportation network, and services may make it a secondary consideration for those people wanting to live in the country; however the town may still be close enough to amenities and schools to make it an attractive community in which to reside. Neighboring Marinette County towns to the south are anticipated to see stronger growth in population and housing during this planning period than the Town of Niagara. To accommodate the goals of the comprehensive plan, the most efficient land use development pattern has been illustrated on the 20-Year Future Land Use Plan based on the following anticipated land use trends.

- There were 924 persons in the town according to the 2000 Census. According to the WDOA population estimates, there were 957 persons in the Town of Niagara in 2008. Population growth will be a slow throughout the 20-year planning period with a WDOA projected 58 new persons residing in the town by 2030 (over the estimated 2008 population).
- Commercial businesses will likely locate along the intersection of Highways 8 and 141.
- It is anticipated there will be more densely built subdivisions predominately in the northern area of the town. New residential developments will afford the opportunity for infill to preserve open space and agriculture lands
- The development of recreational facilities, such as trails, parks, and campgrounds, along with the access to public land and features will be important consideration as the town's population continues to grow.
- As computer technology continues to advance in global information (Internet), home occupations will likely increase.
- As the remaining lakefront properties become developed, waterfront development pressure will increase.
- Second tier development on lakeshores and riverfronts will continue.
- Farmlands will continue to be developed for residential uses, as farming declines within the area and state.
- Developments within wooded tracts, away from lakes and rivers, will continue to be a draw to retirees and seasonal residents.

- Market prices of lakefront and riverfront properties will continue to increase causing a change in the social structure of the town.
- The town will experience a demand for services, historically provided by volunteers, as the median population age continues to increase.

**Development Considerations**

- There is approximately 41,689 acres of undeveloped land (includes all undeveloped categories minus water features).
- Future commercial development should be sensitive to existing adjacent land uses in order to minimize conflicts and retain natural appearance of the town.
- Promotion of the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial and industrial structures.
- Protection of natural areas, including wetlands, wildlife habitats, lakes, woodlands, open spaces, and groundwater resources.
- Protection of economically productive areas, including farmland and forests.
- Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state, and county governmental and utility costs.
- Encouragement of coordination and cooperation among nearby units of government.
- Promoting the expansion or stabilization of the current economic base and the creation of a range of employment opportunities at the state, regional, and local levels.
- Balancing individual property rights with community interests and goals.
- Land prices will likely continue to increase, particularly around lakes and in wooded areas.
- Acknowledge fire risk in the community by managing the wildland urban interface and promoting use of Firewise principles.
- Consider the current condition of roads – which roads are currently capable of handling increased traffic flows and those that may need to be upgraded to accommodate future growth.

**LAND USE PROJECTIONS**

**Five-Year Incremental Land Use Projections**

Wisconsin State Statutes (s. 66.1001, Wis. Stats.) require Comprehensive Plans to include projections in five-year increments for future residential, commercial, industrial and agricultural land uses in the community over the 20-year planning period.

To assist in determining the need for future land use allocations, three population and housing projections methods were shown earlier in this chapter in Tables 2.3 and 2.4 to help determine anticipated future growth within the town. They are the Wisconsin Department of Administration (WDOA) projections, a Linear Projection Model, and Growth Forecast.

Based on past population and housing projection numbers, it was determined that the WDOA Projection Model was the best alternative for developing population and housing projections. This decision was based on the fact that of the three, it presents the most conservative growth projection. Using the WDOA Projection method and the 2000 Census figures as a starting point; it is anticipated the town will experience an influx of 86 new residents corresponding to an additional 91 homes by 2030 (corresponding with a continued trend in fewer persons per household).

It is not the intent of this comprehensive plan to see an entire area within a land use classification noted on the Future Land Use Plan to be developed. The specified uses should be allowed if consistent with the type, location, and density of existing development. Some of the land within the land use classification is not developable due to natural features, easements, setbacks, existing preferred land uses, or availability of supporting infrastructure. Within developing areas, these additional considerations and land uses generally account for approximately 25 percent of the gross land area.

**Residential Projections**

The town’s future residential land use acreage was projected utilizing the following methodology:

- the town’s projected housing needs based on U.S. Census occupied housing data collected between 1970 and 2000;
- the assumption that each new residential development will be, on average, two acres in size; and
- a multiplication factor ranging from 1.25 to 2.5 to allow for market flexibility.

As shown in Table 2.7, the Town of Niagara should anticipate approximately 83 housing units being added by the year 2030, which translates to approximately 300 acres of land that should be dedicated for residential development.

Table 2.7: Future Residential Land Use Allocations, Town of Niagara, 2005 - 2030

Year	Net Acres Needed
2005	45.0
2010	60.0
2015	70.0
2020	64.0
2025	40.5
2030	20.0
<hr/>	
<i>Total New Housing Units</i>	83
<i>Total Net Acreage</i>	299.5

Source: Bay-Lake Regional Planning Commission, 2009.

**Commercial Projections**

To calculate commercial land use projections, the current ratio of residential acreage to commercial land use acreage is compared by parcel in the town based on the 2008 land use inventory.

According to the 2008 land use inventory, the Town of Niagara contains approximately 17 acres of commercial land. This represents a ratio of 12.7 acres of residential development for every one acre of commercial development. Assuming that this ratio will remain constant, the town should anticipate allocating an additional 26.6 acres for commercial development over the next 20 years. This projection is presented in Table 2.8.

Table 2.8: Future Commercial Land Use Allocations, Town of Niagara, 2005 - 2030

Year	Net Acres Needed
2005	3.5
2010	4.7
2015	5.5
2020	5.0
2025	3.2
2030	1.6
<i>Total Net Acreage</i>	<i>23.6</i>

Source: Bay-Lake Regional Planning Commission, 2009.

### Industrial Projections

Industrial lands are projected in the same manner as the commercial lands by using the current ratio of residential acreage to industrial land use acreage by parcel in the town based on the 2008 land use inventory.

According to the 2008 land use inventory, the Town of Niagara contains approximately 37 acres of industrial land. This represents a ratio of 5.7 acres of residential development for every one acre of industrial development. Assuming that this ratio will remain constant, the town should anticipate allocating an additional 52.5 acres for commercial development over the next 20 years. This projection is presented in Table 2.9.

Table 2.9: Future Industrial Land Use Allocations, Town of Niagara, 2005 - 2030

Year	Net Acres Needed
2005	7.9
2010	10.5
2015	12.3
2020	11.2
2025	7.1
2030	3.5
<i>Total Net Acreage</i>	<i>52.5</i>

Source: Bay-Lake Regional Planning Commission, 2009.

### Agricultural Projections

Little agricultural acreage remains within the town (5 percent of total area) including cropland/pasture land, long-term specialty crops, and animal husbandry. It is likely that these remaining agricultural areas will continue to diminish.



It is the town's intention to preserve as much of these remaining farmlands as possible over the next 20 years. As development pressures continue to grow, development of farmland areas should be directed away from prime or productive agricultural land, or to areas where services are more readily available. The consumption of agricultural lands may be influenced by the strategies of the local comprehensive plan and the zoning ordinance.

## PLAN IMPLEMENTATION GOALS

The following goals describe the town's intent regarding the overall growth and development during the next 20 years. These generalized goals describe preferred conditions and represent an end to be sought, although they may never actually be fully attained.

These goals are also listed in Chapter 4 of this document with applicable objectives, policies, and programs to assist the town with implementation of its comprehensive plan and achieve its 20-year vision.

1. **LAND USE:** To ensure the town is developed/preserved according to the land use recommendations developed as the basis in the creation of the Future Land Use Plan.
2. **COMMUNITY PLANNING:** To implement this 20-year comprehensive plan that will serve as a guide for assisting local officials in making land use decisions that reflect Niagara's vision of balanced orderly and sustainable development and preservation of its natural environment.
3. **NATURAL RESOURCES:** To protect the natural environment for Niagara residents by promoting appropriate development.
4. **AGRICULTURAL AND FORESTRY RESOURCES:** To utilize agricultural and timber harvesting practices that are appropriate to protect air, soil, water and wildlife resources.
5. **HISTORICAL, ARCHEOLOGICAL, AND CULTURAL RESOURCES:** To preserve and enhance historic, archeological, and cultural locations and structures, where appropriate.
6. **RESIDENTIAL DEVELOPMENT:** To provide for a variety of quality housing opportunities for all segments of the town's population in such a way that will minimize the adverse impacts on the environment and preserve the town's rural character.
7. **ECONOMIC DEVELOPMENT:** To encourage small-scale economic development that will fit the scale and rural atmosphere of the town.
8. **TRANSPORTATION:** To advocate for a safe and efficient motor and non-motorized transportation system.
9. **UTILITIES/COMMUNITY FACILITIES:** To provide high quality public services to all residents of the Town of Niagara and provide for the orderly development of the town through planned development of public services.
10. **PARKS AND RECREATION:** To continue to promote the variety of park and recreational activities within the town.
11. **INTERGOVERNMENTAL COOPERATION:** To communicate with Marinette County, neighboring communities, and other interested groups and agencies on future planning projects.



# **CHAPTER 3: FUTURE LAND USE PLAN**

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## INTRODUCTION

This portion of the *Town of Niagara 20-Year Comprehensive Plan* highlights the town’s future land use plan, known as the Future Land Use Plan. The Future Land Use Plan builds upon the town’s existing land use issues to establish a planning strategy and map that will guide the location and density of future development, while preserving various natural resources, over the next 20 years in the Town of Niagara.

## 20-YEAR FUTURE LAND USE PLAN

The Future Land Use Plan was developed based on the information contained in:

1. Volume II (Marinette County Resources);
2. The community inventory and development goals found in Chapter 2 (Inventory, Trends, and Forecasts) of this document.

The data and input in these sections of the plan were major components in both the development of the Future Land Use Plan Map (Map 3.1) and the following recommended development strategy for the town’s 20-year planning period.

It is not the intent of this comprehensive plan to encourage development of an entire area within a land use classification on the Future Land Use Plan. The specified uses should be allowed if consistent with the type, location, and density of existing development. Some of the land within the land use classification is not developable due to natural features, easements, setbacks, existing preferred land uses, or availability of supporting infrastructure. Within developing areas, these additional considerations and land uses generally account for approximately 25 percent of the gross land area.

### Land Use Recommendations

The following land use classifications associated with the Town of Niagara Future Land Use Plan best represent the community’s character and are in the best interest of the town’s future growth.

Please note all categories shown below are not necessarily represented on the Town of Niagara Future Land Use Plan Map (Map 3.1); however, future development strategies for each are discussed in this chapter. The town’s future land use classifications include:

- Residential
- Commercial/Industrial
- Parks and Recreation
- Agricultural
- Woodlands/Open Space
- Transportation
- Governmental/Institutional/Utilities
- Environmental Corridors
- Conservancy

Utilizing the land use classifications, this section details the suggested type, location, and density of development for the Town of Niagara 20-year planning period.

## Residential

It is the intent of this classification to promote orderly and efficient residential growth patterns that are consistent with adjacent land uses and maintain good quality residences. Future residential development shall stay in character with existing adjacent development.

### Recommendations:

- Residential development will continue primarily in the area west of the City of Niagara (“the Heights”), at the end of Highway 8 by the Michigan state border, and around Lake Shannon. Consider the following issues as these areas become more developed:
  - Existing infrastructure and accessibility to future development.
  - Provision of emergency services.
  - Maintaining ground and surface water quality.
  - Availability of groundwater.
  - Adequate filtration for on-site sanitary systems.
- Concentrated development will continue around Timm’s Lake, which is completely developed.
- Infill should be maximized in residential areas that have existing development wherever sensible. Utilizing infill development will result in limiting the costs to extend infrastructure and decreasing the travel distance between residences and existing services. However, due to the town’s lack of municipal sanitary system, water supply, and stormwater services, it is important that infill development be done in a manner that will continue to protect the town’s natural resources.
- Single-family residences will be the primary type of residential development.
- Development techniques that maintain a balance with the natural environment are encouraged. It is recommended that environmentally conscious development techniques such as conservation subdivision are utilized in these areas in an effort to protect surrounding natural features, preserve open space throughout residential areas, and protect woodland and wildlife habitat.
- Shared characteristics between residential types are encouraged to minimize incompatibility between adjacent developments. Conflicting size or type of development may detract from existing properties.
- Future residential development should maximize the protection of environmentally sensitive areas. Environmentally sensitive areas (i.e. woodlands, wetlands, steep slopes, floodplains, etc.) located in areas of proposed residential development should be preserved in order to minimize soil erosion and damage to surface waters.

## Commercial

Commercial development in the Town of Niagara is primarily located along the corridors of Highways 141 and 8. The town encourages commercial, retail, and service-related businesses where there is adequate infrastructure and land available to accommodate the business.

### *Recommendations:*

- As illustrated by Map 3.1, areas of future commercial development are planned along the corridors of Highways 141 and 8 rather than dispersed throughout the town. This location is envisioned to fulfill the needs of the town’s residents and visitors and capitalize on high traffic volumes, good visibility, access from a major corridor, and enough area to accommodate off-street parking.
- Businesses in the town should be compatible with the character of the town. The town encourages new businesses to feature attractive, well-maintained buildings that include appropriate signage and lighting so not to detract from the character of the community.
- New commercial development should be directed away from environmentally sensitive areas (shown as “Environmental Corridors” on Map 3.1).
- Development of new commercial spaces should be carefully planned in order to minimize the impacts on existing infrastructure. Proposals for new development should consider the adequacy of existing infrastructure to accommodate the needs of that development. New development should minimize the costs of utility and road extensions.

## Industrial

Industrial development in the Town of Niagara has been limited to a couple light industrial sites and quarry mines. The town encourages future industrial development to locate in the City of Niagara where there is adequate infrastructure and services to accommodate industrial and manufacturing-related development.

### *Recommendations:*

- Future industrial development shall be directed to the City of Niagara. The City can best fulfill the needs of industrial businesses with the availability of infrastructure and services, access from a major corridor, and adequate area to accommodate the development and off-street parking.
- New industrial development should be directed away from environmentally sensitive areas (shown as “Environmental Corridors” on Map 3.1).
- Development of new industrial spaces should be carefully planned in order to minimize the impacts on existing infrastructure. Proposals for new development should consider the adequacy of existing infrastructure to accommodate the needs of that development. New development should minimize the costs of utility and road extensions. Additionally, the presence of truck traffic, noise, and other impacts of industrial activity should be minimized when located near residential areas. When necessary, buffers should be created to minimize impacts on residential and retail areas.

- Mining operations should demonstrate minimal negative impact on the neighboring properties and other portions of the town and surrounding areas. They should cause no adverse effects on groundwater and no significant wear on roads.
- Ensure mining operations are properly closed. The town should work with surrounding communities, Marinette County, and state agencies to ensure that mining sites are reclaimed to a natural setting.

### **Governmental/Institutional/Utilities**

The town will continue to provide efficient government and institutional buildings, emergency facilities, utility sites, religious facilities, and public services provided for the town.

#### *Recommendations:*

- This classification is primarily limited to the existing area of the Town Hall, Town Garage, and the Chapman private cemetery. This classification envisions town facilities to remain as they are with no plans for future expansion.
- Future municipal and institutional development should be located in a manner such that health and safety are maximized and negative externalities are minimized. It should be ensured that safe access into and out of public buildings is available for town residents and emergency services, such as fire and rescue.
- Future governmental, institutional, and utility services shall locate adjacent to existing areas of this classification to develop a town center and identity as well as to minimize any negative affects on adjoining land uses.

### **Park and Recreation**

The town will promote existing recreational facilities, trails, boat landings, beaches, and park and recreation spaces within and around the Town of Niagara. In addition, the town will ensure that the public is served with adequate park and trail facilities, ranging from passive to active recreation.

#### *Recommendations:*

- Future town recreational facilities should be located in scenic areas that can provide appropriate vehicular and pedestrian access. Residential and commercial areas should be buffered from park activities by natural vegetation or open space.
- Be involved in updates to the Marinette County Comprehensive Outdoor Recreation Plan.
- Cooperate in planning park and recreational facilities. If future recreational development were to occur in or around the town, it is recommended that the town cooperate with the surrounding towns and counties to promote connectivity of recreational uses such as trails.



### **Agricultural**

The vision of this classification illustrates existing lands devoted to the growing of crops and raising livestock.

*Recommendations:*

- If residential development is permitted in these areas, low density development should be encouraged. Future development in these areas should be done in a fashion which is least impactful to the natural environment and minimizes fragmentation of quality woodlands and natural areas.
- Advocate that agricultural lands are managed using adequate farming practices. It is important for these lands to continue to be under the best management practices for agricultural activities. Inappropriate agricultural practices can have an adverse impact on the quality of surface water and groundwater unless properly managed.
- Large-scale farming operations are discouraged, but if located in the Town of Niagara, they should be directed away from environmental corridors and surface waters.

### **Woodlands/Open Space**

The intent of this classification is to maintain the quality woodlands and natural open space areas within the town.

*Recommendations:*

- If residential development is permitted in these areas, low density development should be encouraged. Future development in these areas should be done in a fashion that is least impactful to the natural environment and limits fragmentation of quality woodland and natural open space.
- Maintain the town’s private woodland areas. If residential development is permitted in these areas, low density development should be encouraged. Utilizing preservation conscious development options such as conservation subdivision designs or clustering can help maintain the continuity of woodlands.
- Utilize existing natural areas to enhance the character of the town. Preserve large natural areas and features to enhance and retain buffers between incompatible uses while maintaining scenic views of the town.
- Protect the town’s many natural features and open space areas to enhance the recreational opportunities in the community.
- Promote Firewise principles in future building design and development to prevent fire damage to residential areas within the wildland-urban interface.

### **Transportation**

This classification identifies the existing road network in addition to recommendations for safety and improved traffic movement in the town.

*Recommendations:*

- As illustrated by Map 3.1, a future road connection is recommended between Highway 141/8 and Highway O to improve traffic movement west-east through town for emergency response, residents, and visitors.

- Ensure a cost effective road system management plan. Utilize the PASER (Pavement Surface Evaluation and Rating) program to assist in maintaining the roads in the future.
- Consider adopting an Official Map to delineate future road extensions.
- Ensure adequate off-street parking in areas of commercial development.

### **Environmental Corridors**

Environmental corridors contain four elements including: the 100-year floodplain as defined by the Federal Emergency Management Agency (FEMA); WDNR wetlands with a 50-foot setback; steep slopes of 12 percent or greater; and a setback from all navigable waterways as defined by the Marinette County Shoreland Zoning Ordinance. Together, these elements represent the areas of the town that are most sensitive to development and are intended to be preserved.

#### *Recommendations:*

- This plan should serve as a guide for the preservation of environmental corridors. Using the environmental corridors as a guide when reviewing proposed developments will provide the town with background information to determine which areas are important for maintaining the rural character of the town and the quality of its natural resources. The corridors are an overlay to the recommended plan (Map 3.1) and should be utilized as a reference.
- Development should be directed away from environmental corridors as much as possible, or have the development sensitively designed to minimize the negative effects on natural resources, waterways, wildlife habitats, and the overall character of the town.

### **Conservancy**

It is the intent of this classification to promote the preservation of areas of town and encourage that these areas remain in their current state. Future development is discouraged in these areas.

#### *Recommendations:*

- As illustrated by Map 3.1, conservancy areas are recommended in the North Branch Pemebonwon River area in the southeast portion of town to encompass Timm’s Lake, Lake Chapman, Twin Lake, and Echo Lake and the area north and south of the recommended corridor connection between Highway 141/8 and Highway O.
- This plan should serve as a guide for the preservation of conservancy areas. Using conservancy areas as a guide when reviewing proposed developments will help the town maintain its rural character and natural resource base.
- It is recommended that future development be discouraged from locating in areas designated “conservancy” as much as possible.

## **IDENTIFIED SMART GROWTH AREAS**

According to Wisconsin State Statute 16.965 a *smart growth area* is “an area that will enable the development and redevelopment of lands within existing infrastructure and municipal, state, and utility services, where practicable, or that will encourage efficient development patterns that are both contiguous to existing development and at densities which have relatively low municipal, state governmental and utility costs.”

The Town of Niagara identified lands that contain existing concentrated development as the town’s “smart growth areas,” which includes area referred to as “the Heights,” which is an area of concentrated residential development just west of the City of Niagara. Additional “smart growth areas” included the areas surrounding Timm’s Lake, Lake Shannon, and along Highway O and Chapman Road.

- As a rural community without a developing community center, the Town of Niagara intends to continue to direct development in areas where plats currently exist or infill between existing plats, as available and reasonable. The town intends to promote contiguous, efficient development patterns in these areas. This will aid in the preservation of the town’s valued woodlands, surface waters, and other natural features that make up much of the town’s landscape.
- Concentrating future commercial development in designated areas along the corridors of Highways 141 and 8 will assist in meeting the needs of the town residents and visitors while taking advantage of the good exposure and ease of access to the highway.
- Directing future industrial development to the City of Niagara will assist in meeting the needs of the town residents and visitors, as well as the prospective industry by taking advantage of the infrastructure and services available in the City of Niagara.

Table 3.1 contains a summary of the land uses, along with their approximate acreage totals, which have been designated on the *Town of Niagara 20-Year Future Land Use Plan Map* (Map 3.1). It is important to note that the acres on the Future Land Use Plan Map are by general location and not by individual land uses, resulting in larger acreage calculations than those acreage totals found in the 2008 land use inventory.

Table 3.1: 20-Year Future Land Use Plan Acreage Calculations, Town of Niagara

Land Use Classification	Acres
Woodlands	17,245.2
County Land	15,983.0
Conservancy	3,943.2
Agricultural	1,719.2
Residential	1,519.0
Park	1,070.9
Transportation	892.0
Water	762.6
Commercial	605.8
Institutional	4.8
<b>Total</b>	<b>43,745.8</b>

Source: Bay-Lake Regional Planning Commission, 2009.



# **CHAPTER 4: INTERGOVERNMENTAL COOPERATION/IMPLEMENTATION**

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## **INTRODUCTION**

This chapter provides an outline of actions, activities, and programs that will implement the development strategies and vision of the *Town of Niagara 20-Year Comprehensive Plan*. In an effort to keep this plan up-to-date with the changing conditions, this section also includes a process for amending/updating the comprehensive plan, along with a mechanism to measure the town's progress of accomplishing its development goals.

## **RESPONSIBILITIES OF LOCAL OFFICIALS**

The Town Plan Commission, with cooperation from Marinette County, has the primary responsibility to implement the comprehensive plan. Plan Commission members, along with elected officials, need to be familiar with the future development strategies, the vision statement and the maps found within the plan, since they provide much of the rationale the community needs in making land use decisions and recommendations. If a decision needs to be made that is inconsistent with the comprehensive plan, the plan must be amended to reflect this change in policy before it can take effect.

The Plan Commission needs to ensure that supporting ordinances are consistent with the comprehensive plan per Section 66.1001(3) of the *Wisconsin Statutes*. The town will consult the comprehensive plan when working with Marinette County and other governmental entities to develop/amend land ordinances or create additional land use recommendations.

## **COMPREHENSIVE PLAN INTERNAL CONSISTENCY**

The comprehensive plan elements and their respective development strategies should maintain consistency to ensure that all land use decisions are based on current conditions. In an effort to maintain the plan's goals and objectives, the Plan Commission and elected officials should conduct periodic reviews of the town's vision statement and development strategies, along with the Future Land Use Plan documentation and maps. Any town ordinances and regulations that are not maintained and enforced by Marinette County need to be reviewed for consistency with the *Town of Niagara 20-Year Comprehensive Plan*. The town should work cooperatively with Marinette County to ensure all land use ordinances and maps are updated to limit inconsistencies with the town's comprehensive plan.

## **AMENDING THE COMPREHENSIVE PLAN**

The comprehensive plan shall be amended following Section 66.1001(4)(b) of the Wisconsin Statutes and the town's adopted written procedures for fostering public participation. The State Comprehensive Planning Law requires that the Town follow the same administrative procedures for adoption defined under Wisconsin Statutes, Section 66.1001(4), to amend the Comprehensive Plan. Specifically, the Town should use the following procedure to amend the Comprehensive Plan:

- The Plan Commission and/or specific committees prepare or direct the preparation of the specific text or map changes for the amendment of the Comprehensive Plan with public input.
- The Town Clerk directs the publishing of a Class 1 notice, with such notice published at least 30 days before a Plan Commission public hearing. The class 1 notice shall

contain at least the following information required under Section 66.1001(4)d, Wisconsin Statutes:

- 1) The date, time, and place of the hearing.
  - 2) A summary, which may include a map, of the proposed comprehensive plan amendment.
  - 3) A contact person at the Town who may provide additional information regarding the proposed amendment.
  - 4) Information relating to where and when the proposed comprehensive plan amendment may be inspected before the hearing, and how a copy of the amendment may be obtained.
- A copy of the proposed amendment to the comprehensive plan shall be sent to all adjacent and surrounding government jurisdictions and other bodies as identified under Section 66.1001(4)b, Wis. Stats. These governments or individuals will have at least 30 days to review and comment on the recommended Comprehensive Plan amendment. The governments or individuals to receive review copies includes the following:
    - 1) Every governmental body that is has some jurisdiction in whole or in part within the town boundaries.
    - 2) The clerk of every local governmental unit that is adjacent to the town.
    - 3) The Wisconsin Department of Administration.
    - 4) The Bay-Lake Regional Planning Commission.
    - 5) The Niagara Branch Library.
  - The Plan Commission holds the public hearing on the proposed amendment to the Comprehensive Plan (after 30 days from the date the Class 1 notice was published).
  - Following the public hearing, the Plan Commission makes a recommendation for approval of an ordinance that would incorporate the recommended amendment into the Comprehensive Plan. The recommendation is made by resolution to the Town Board.
  - In response to the Plan Commission’s resolution recommending an amendment to the comprehensive plan, the Town Board votes to approve or deny an ordinance adopting the proposed comprehensive plan amendment by majority vote of the Board. The Town Board may make changes to the recommended Plan Commission version of the amendment.
  - If the amendment is adopted, the Town sends a copy of the adopted ordinance and comprehensive plan amendment to all adjacent and surrounding government jurisdictions and other bodies as identified under Section 66.1001(4)b, Wis. Stats. (and listed above).



## UPDATING THE COMPREHENSIVE PLAN

This comprehensive plan shall be amended/updated following Section 66.1001(4)(b) of the Wisconsin Statutes and the town’s adopted written procedures for fostering public participation. It is recommended that the town’s comprehensive plan be reviewed/updated by the Town Plan Commission based on the following schedule:

- **Annually**
  - Review the vision statement and future development strategies.
  - Identify updates to the Wisconsin Department of Administration (WDOA) population and housing estimates and projections, and U.S. Census population data.
  - Review implementation priorities and relevance of the development strategies.
  - Update any changes to Future Land Use Plan documentation or map.
  - Ensure consistency with new or revised ordinances proposed by the town or Marinette County.
- **Five Years**
  - Review U.S. Census data, WDOA population and housing projections, and work with Marinette County to update Volume II: Marinette County Resources as needed.
  - Identify substantial changes over the past five years and any potential impacts to the community in the near future. This helps monitor outcomes of implemented development strategies and identifies any possible needs for the 10-year update.
  - Be aware of updates or completion of other local, county, or regional plans.
- **Ten Years** - required comprehensive plan update per Section 66.1001(2)(i) of the Wisconsin Statutes. Amend the plan as needed based on changing conditions.
  - Conduct a review of the town’s vision statement, Future Land Use Plan development strategies and map, land use recommendations, work with Marinette County to update the town’s population, housing, and economic data, along with other relevant planning information inventoried in Volume II: Marinette County Resources. Review ordinances and other controls for consistency.

## INTERGOVERNMENTAL COOPERATION

### **Introduction**

Cooperation with other governmental units is an important strategy of this plan. Many issues can only be effectively addressed through intergovernmental cooperation. Cooperation between Niagara and Marinette County is crucial for provision of many important services in the town, and cooperation with various State and Federal agencies is equally vital for the town. Wisconsin Statute s. 66.0301, entitled “Intergovernmental Cooperation,” enables local governments to collaborate to achieve what can be accomplished alone. Typically, intergovernmental cooperation refers to the management and delivery of public services and facilities. This section takes a closer look at intergovernmental cooperation between Niagara and adjacent local governmental units, Marinette County, school districts, the State of Wisconsin, and Federal agencies. It also identifies any existing and potential conflicts between Niagara and other units of government.

### **Intergovernmental Cooperation Policies**

The following provides information regarding intergovernmental cooperation policies for the Town of Niagara.

- Maintain established intergovernmental relationships.

The Town of Niagara should continue its shared services with other jurisdictions and long as they are warranted.

- Explore new opportunities to cooperate with other local units of government.

As costs and responsibilities for providing many services and facilities continues to increase, Niagara should explore additional opportunities to cooperate with other jurisdictions where it is cost and organizationally effective.

- Establish written intergovernmental cooperation agreements.

Town of Niagara should ensure all intergovernmental agreements are in writing to avoid disputes or misunderstandings. When intergovernmental cooperation agreements are established based on verbal, non-formal agreements, they become vulnerable to changes in leadership that can cause problems with agreement specifics.

### **Agreements with Neighboring Jurisdictions**

- City of Niagara
- Marinette County Sheriff's Department
- Niagara Fire Department
- Niagara Rescue
- Niagara School District
- Niagara Branch Library

### **Wisconsin Statutes**

- A review of agreements or plans pursuant to s. 66.0301, s. 66.0307, and s. 66.0309 found none applicable to these statutes.
  - s. **66.0301** – Intergovernmental cooperation.
  - s. **66.0307** – Boundary changes pursuant to approved cooperative plan.
  - s. **66.0309** – Creation, organization, powers and duties of regional planning commissions.

### **Intergovernmental Relations**

A good working relationship between neighbors is important and good intergovernmental communication and cooperation can benefit everyone. A beneficial working relationship with County, Regional, and State entities can provide economical, environmental, and political advantages for Niagara. It also fosters and supports a sense of community and good fellowship.

### **Existing Areas of Cooperation**

- Police, Fire, Rescue, School District, Library services, and Park & Recreation.

### Possible Future Cooperation Efforts

The following opportunities for possible future cooperation efforts were identified during the Intergovernmental Cooperation workshop held in Northern Marinette as part of the comprehensive planning process.

- Shared judicial system/constable/municipal court between towns.
- Shared police support at a local level between towns.
- Cooperative studies/efforts to retain young people.
- Providing broadband in the area.
- Recreation opportunities (e.g. trails).

### Existing/Potential Conflicts

Intergovernmental issues between municipalities sometimes arise over a number of different concerns. The comprehensive planning process examined any existing or potential conflict situations in the Town of Niagara.

- No issues or concerns regarding intergovernmental cooperation have been identified for the town at this time.

## IMPLEMENTATION OF LOCAL LAND USE CONTROLS

### Zoning

#### Marinette County Zoning Ordinance

Marinette County has zoning jurisdiction within all unincorporated communities of the county including the Town of Niagara. Marinette County maintains and administers the general zoning ordinance to achieve community goals such as promoting public health, safety, and welfare; protection of natural resources; and to maintain community character. General zoning utilizes a system of districts designated for different uses based on land suitability, infrastructure, avoidance of conflict with nearby uses, protection of environmental features, economic factors, and other local factors.

The County's unincorporated communities are divided into three (3) classes of use districts: the *Forestry District*, the *Recreation District*, and the *Unrestricted District*.

Generally, the **Forestry District** allows open space and recreational activities, recreational camps, private summer cottages and service buildings. All other uses including permanent residential structures are prohibited in the Forestry District.

The **Recreation District** allows the same uses as in the *Forestry District* but imposes a setback of 200 feet from highways and lot lines for sawmills and other wood using industries. In addition, uses allowed in the *Recreation District* include filling stations, garages, machine shops, restaurants, motels and hotels, rental cabins, cottages, resorts, taverns, commercial stores, dance halls, theaters, and other establishments servicing the recreational industry and family dwelling.

In the **Unrestricted District**, land may be allowed for any legal purposes. However, the *Unrestricted District* does regulate off-premise signs. Off-premise signs are regulated by size, maximum height, lighting, and encroachment into an intersection sight triangle, distance from other signs, and distance from incorporated community boundaries.

Refer to the general zoning ordinance of Marinette County for detailed information on zoning districts, regulations, restrictions, permitted uses, and zoning maps.

The comprehensive plan preferred land uses need to be compared to the zoning map to determine compatibility and realignment within various districts. The Town Plan Commission and Town Board will work with Marinette County to decide when re-zoning will occur, for it is not the intent of the zoning map to become a direct reflection of the comprehensive plan's 20-Year Future Land Use Plan Map (Map 3.1). The comprehensive plan is a vision for the future while zoning represents current use.

The town will cooperate with Marinette County to develop/amend ordinances that encourage the protection of the town's natural features and aesthetic views. Additional ordinances may be developed by the town or Marinette County in order to meet the town's "vision statement" listed in Chapter 1 of *Volume I: Town Plan*. The town will keep Marinette County informed of ordinance updates to ensure that the county is providing correct information regarding town ordinance inquiries.

### **Official Mapping**

Under Section 62.23(6) of the Wisconsin Statutes, the City Council/Village Board/Town Board (under village powers) "may by ordinance or resolution adopt an official map showing the streets, highways, parkways, parks and playgrounds laid out, adopted and established by law." Once an area is identified on an official map, no building permit may be issued for that site, unless the map is amended.

The official map serves several important functions:

1. It helps assure that when the town acquires lands for streets, or other uses, it will be at a lower vacant land price.
2. It establishes future streets that subdividers must adhere to unless the map is amended.
3. It makes potential buyers of land aware that land has been designated for public use.

The town may consider establishing an official map in areas of existing concentrated development in order to help ensure that new streets provide connectivity for future development.

### **Floodplain Ordinance**

The Marinette County Zoning Ordinance regulates development in flood hazard areas to protect life, health, and property and to provide a uniform basis for the preparation, implementation, and administration of sound floodplain regulations for all county floodplains.

Areas regulated by the Marinette County Zoning Ordinance include all areas in the County 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 required to carry regional floodwaters.
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 that have been or may be hereafter covered by floodwater during the regional flood. It includes both the floodway and floodfringe districts.

For more information about floodplain zoning in Marinette County, refer to the Marinette County Zoning Ordinance.

Further development in the Town of Niagara should remain consistent with the Marinette County Zoning Ordinance. Cooperate with Marinette County, WDNR, FEMA, and other appropriate agencies when updates to the Marinette County Flood Insurance Rate Maps and the Marinette County Zoning Ordinance are proposed.

#### **Shoreland/Wetland Ordinance**

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

1. In unincorporated communities of Marinette County 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 Marinette County Zoning Ordinance also establishes minimum lot sizes for parcels within the shoreland zone, setbacks of buildings and structures from the water, standards for the alteration of surface vegetation and land surfaces, and a permit process for work taking place in waterways.

Further shoreland development in the Town of Niagara should remain consistent with the Marinette County Zoning Ordinance. The town has the option of adopting a more restrictive shoreland ordinance than the county ordinance.

#### **Land Division/Subdivision Ordinance**

A land division/subdivision ordinance, as authorized by Section 236 of the Wisconsin Statutes, regulates the division of raw land into lots for the purpose of sale or building development. The town may regulate, by ordinance, the division of land within its boundary. The land division/subdivision ordinance is related to the general zoning ordinance as it regulates the type of development that takes place on a parcel and the land division/subdivision ordinance regulates how the parcel is created and made ready for development.

Marinette County maintains a Land Division and Subdivision Ordinance as Chapter 23 of the code of Ordinances. 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 nine (9) contiguous acres in size, determined by the right of way.” Further information is available in the Marinette County Land Division and Subdivision Ordinance.

The Town of Niagara will work cooperatively with Marinette County to review and update the county’s Land Division and Subdivision Ordinance as needed.

### **Private Sewage Systems**

Marinette County maintains a private sewage systems ordinance under Chapter 15 of the County’s Code of Ordinances. Chapter 15 regulates the location, construction, installation, alteration, and maintenance of onsite waste disposal systems.

Generally, the ordinance requires that all structures intended for human habitation or occupancy shall have a system for holding or treatment and dispersal of sewage and wastewater. A non-plumbing sanitation system (privy or outhouse) may be permitted when the structure served does not have indoor plumbing. Holding tanks are prohibited if the property can be served by a conventional system or mound system. The ordinance also requires that all onsite wastewater treatment systems shall be inspected and pumped every three (3) years – unless the inspection determines that the septic tank is less than one-third (1/3) full.

### **Agricultural Performance Standards and Animal Waste Management Ordinance**

Contained in Chapter 18 of the Marinette County Code of Ordinances, the Agricultural Performance Standards and Animal Waste Management Ordinance, ensures the proper location, design, installation, use and abandonment of animal feedlots and waste storage facilities. Furthermore, the ordinance is intended to prevent the deliberate mismanagement of animal waste, reduce soil erosion and minimize the conflicts between agricultural operations and non-farm related land uses while protecting the right to farm.

### **Forestry and Parks Ordinance**

Marinette County maintains a forestry and parks ordinance under Chapter 16 of the County’s Code of Ordinances. The Forestry and Parks Ordinance spells out the responsibilities and powers of the Marinette County Forestry, Parks, Outdoor Recreation and Lands Committee. Chapter 16 also regulates timber cutting on county forest land, use of county lands for recreational activities, all-terrain vehicle use, park use, and the use of Camp Bird. Additionally, the ordinance lists activities and actions that are prohibited on county owned land and in the county’s forest and parks.

### **Other Ordinances and Regulations**

Other tools to implement the comprehensive plan may include the development/support of additional town controls or Marinette County regulations such as:

- Building/Housing Codes
- Design Review Ordinances
- Blighted Building Ordinance
- Historic Preservation Ordinances
- Landscape Ordinances
- Erosion and Stormwater Control Ordinances

**IMPLEMENTATION OF DEVELOPMENT STRATEGIES**

The Town of Niagara Plan Commission, with cooperation from Marinette County, will be directly responsible for, or oversee the implementation of most of the development strategies (goals, objectives, policies, and programs) with the Town Board ensuring the plan is being implemented in a timely manner. In total, there are eleven general goals for the town, each followed by a detailed list of objectives, policies, and programs. Since many planning issues are interrelated, the objectives, policies, and programs related to one goal may be similar to those stated in other areas.

The following statements describe the town’s intent regarding growth, development, and preservation over the next 20 years.

***Goals, Objectives, Policies, and Programs***

- **Goals** – describe desired situations toward which planning efforts should be directed. They are broad and long range. They represent an end to be sought, although they may never actually be fully attained.
- **Objectives** – are measurable ends toward reaching a defined goal.
- **Policies** – are a rule or course of action used to ensure plan implementation.
- **Programs** – an action or a coordinated series of actions to accomplish a specific policy.

**LAND USE**

**GOAL:** To ensure the town is developed/preserved according to the land use recommendations developed as the basis in the creation of the Future Land Use Plan.

***Objective:*** Ensure the Town of Niagara land use is developed/preserved according to the strategies described in the Future Land Use Plan (Chapter 3 of this document).

**COMMUNITY PLANNING**

**GOAL:** To implement this 20-year comprehensive plan that will serve as a guide for assisting local officials in making land use decisions that reflect Niagara’s vision of balanced orderly and sustainable development and preservation of its natural environment.

***Objective 1:*** Utilize this 20-year comprehensive plan to best reflect the interests of all the town’s residents, follow an orderly and cost efficient method when developing, and preserve significant features of the community.

***Policies:***

- A. This 20-year comprehensive plan will be consulted by the Town Plan Commission, Town Board and other committees of the town before making any decision regarding land use and land use policies.
- B. Ensure that all growth and development occurs in a planned and coordinated manner that will maintain or improve the quality of life associated with the rural character of the town.

- C. Encourage cooperation and communication between the town, neighboring municipalities and county government in implementing this 20-year plan.

**Programs:**

- Consider holding community planning related meetings with adjacent communities, media and/or private organizations to publicize ongoing planning projects and plan implementation projects found within this comprehensive plan.

**Objective 2:** The Town Board and Town Plan Commission have the responsibility to review and update the town’s comprehensive plan as needed.

***Policies:***

- A. Periodically review and update the adopted 20-year comprehensive plan, when necessary, in order to provide for the greatest possible benefits regarding future development and preservation of significant features such as agricultural, natural, and cultural resources.
- B. Review existing Marinette County ordinances as they relate to the implementation of this plan.
- C. Ensure the public is informed and involved to the greatest extent possible when considering updates and revisions to the town’s comprehensive plan.

**NATURAL RESOURCES**

**GOAL:** To protect the natural environment for Niagara residents by promoting appropriate development.

**Objective 1:** Encourage a visually appealing and sustainable natural environment.

***Policies:***

- A. Work with Marinette County and town residents to encourage sound management practices of the town’s forestlands.
- B. Identify distinctive natural areas for protection and/or enhancement.
- C. Identify and protect key open spaces and wildlife habitats from development to preserve the town’s scenic value.
- D. Work with federal, state, and county agencies to seek funding for habitat protection.
- E. Developments adjacent to lakes, rivers, streams, wetlands, and steep slopes should be planned in a manner that protects the integrity and recognizes the vulnerability of these areas.

**Programs:**

- Encourage the inclusion of environmental corridors, buffer zones, and other natural areas in new and existing developments.



- Advocate for very limited or no development in the Environmental Corridors designation on the Future Land Use Plan (Map 3.1) to protect the town’s key natural resources.
- Preserve conservancy designated areas on the Future Land Use Plan (Map 3.1) to protect the town’s natural areas and water resources.
- Work with Marinette County to educate residents about flood risks, shoreland and wetland preservation and steep slope risks.

**Objective 2:** Preserve and restore surface water quality (wetlands, lakes, rivers, and streams).

***Policies:***

- A. Support efforts related to surface water quality issues through protection, restoration, and improvement tools.
- B. Investigate and consider tools for erosion control (e.g., buffer strips, easements, land use controls, flood controls, etc.).
- C. Participate in efforts to maintain the natural beauty and integrity of the town’s many water surface water features.

**Program:**

- Support the use of indigenous flora and sound conservation methods to protect shorelands from erosion.

**Objective 3:** Promote the protection of groundwater resources (quality and quantity).

***Policies:***

- A. Identify and preserve groundwater recharge sites (e.g. wetlands, lakes, ponds, intermittent waterways) and areas of shallow soils.
- B. Avoid human-influenced actions, agriculture, and residential development that may deplete the town’s lakes, rivers, streams, wetlands and groundwater.
- C. Consider establishing long-term plans to address potential recharge areas and their threats.
- D. Work cooperatively with surrounding jurisdictions and Marinette County to protect groundwater resources.

**Programs:**

- Consider a buffer area (a zone of no buildings) around delineated wetlands.
- Encourage residents to follow stormwater management plans and erosion control ordinances, etc.
- Landowners should follow agriculture "Best Management Practices" to preserve water quality.
- Promote wetland restoration projects.

**Objective 4:** Existing and future mining sites should not negatively affect natural resources or existing developments within the town.

***Policies:***

- A. Encourage the location of mining operations where scenic views and the health of the natural environment will not be compromised.
- B. Consider preserving potential mineral resources within the town for future mining consideration.
- C. Work with the surrounding communities and Marinette County to ensure that incompatible uses do not develop adjacent to potential or existing mining sites.
- D. Discourage nonmetallic mining in environmentally sensitive areas or environmental corridors.
- E. Work with surrounding communities and Marinette County to ensure all abandoned, present, and future mining operations are eventually reclaimed to a natural setting subject to the requirements of NR 135.

**Program:**

- Utilize the Marinette County Nonmetallic Mining Reclamation Ordinance when deciding land use issues.

**AGRICULTURAL AND FORESTRY RESOURCES**

**GOAL:** To utilize agricultural and timber harvesting practices that are appropriate to protect air, soil, water and wildlife resources.

**Objective 1:** Maintain existing agricultural lands to preserve the town’s rural atmosphere and protect local food systems.

***Policies:***

- A. Retain large contiguous areas of prime agricultural lands for future farming operations.
- B. Discourage development on soils that have been identified as being prime agricultural areas thus encouraging the use of these lands for farming purposes only.
- C. Advocate for the use of sound agricultural and soil conservation methods to minimize surface and groundwater contamination and soil erosion.
- D. Minimize impact of future development by encouraging conservation-based land use practices.
- E. Recognize the economic and food security importance of agriculture in the community.
- F. Future subdivision development and building plans should incorporate an awareness of forest health hazards and minimize adverse impacts by encouraging healthy trees within less populated woodland/natural areas.

**Programs:**

- Encourage Nutrient Management Planning, Land Buffer Programs, etc.
- Work with the county and state agencies to promote innovative programs that ensure the protection of farmlands.
- Consider clustering and conservation designs for future housing developments in order to preserve contiguous lands for future farming.

**Objective 2:** Protect the existing farm operations from conflicts with incompatible uses.

***Policies:***

- A. When agriculture or silviculture land use is to change, ensure that the changeover is orderly and beneficial, and that the lands are minimally productive.
- B. Encourage buffers separating non-farming uses from agricultural lands in order to lower the number of possible nuisance complaints.

**Objective 3:** Maintain, enhance, and promote the sustainable use of forest resources to maintain healthy and production forestlands.

***Policies:***

- A. Promote the retention of large blocks of productive forestlands
- B. Encourage sustainable forestry through the promotion and use of “*Wisconsin’s Forestry Management Guidelines*.”
- C. Encourage the implementation of Best Management Practices (BMPs) for water quality.
- D. Provide forest-based recreation opportunities.

**HISTORICAL, ARCHEOLOGICAL, AND CULTURAL RESOURCES**

**GOAL:** To preserve and enhance historic, archeological, and cultural locations and structures, where appropriate.

**Objective:** Support the enhancement of the historical, archaeological, and cultural resources and facilities in the town.

***Policies:***

- A. Advocate the preservation of buildings, structures, and other landscape features that are the town's cultural history.
- B. Tie significant locations into recreational/tourist sites while further enhancing them and their access, where appropriate.

## **RESIDENTIAL DEVELOPMENT**

**GOAL:** To provide for a variety of quality housing opportunities for all segments of the town’s population in such a way that will minimize the adverse impacts on the environment and preserve the town’s rural character.

*Objective 1:* Identify and support policies and programs that help citizens obtain affordable, quality housing.

### ***Policies:***

- A. Support housing developments for all persons including low and moderate income, elderly, and residents with special needs.
- B. Work with Marinette County to apply for grants and become involved in programs to address the town’s housing needs.
- C. Encourage the maintenance, preservation, and rehabilitation of the existing housing stock within the town.

### **Programs:**

- The town may direct residents to Marinette County to obtain educational materials and information on financial programs, home repairs, weatherization, and obtaining affordable housing.
- The Town Board may work with the state, county, and Bay-Lake Regional Planning Commission to monitor the town’s population characteristics to stay informed of changing demographics and characteristics within the town.

*Objective 2:* Promote housing development that is done in an environmentally conscious and cost effective manner.

### ***Policies:***

- A. Encourage new housing in areas that can be adequately served by infrastructure and community services essential to supporting residential development.
- B. Encourage the infilling of existing vacant residential property where appropriate.
- C. Situate higher density residential development in areas that minimize impacts upon low-density residential development.
- D. Explore development ideas that encourage responsible use of land and minimize potential negative impacts on natural and cultural areas.
- E. Work with Marinette County and neighboring communities to establish innovative development guidelines for future consideration within the town.

### **Programs:**

- Review existing regulations on lands adjacent to water features in the town in an effort to protect and improve these valuable resources.

- Consider conservation-minded development designs as well as cluster type developments as an alternative to conventional zoning methods to provide for a variety in housing choices.

### **ECONOMIC DEVELOPMENT**

**GOAL:** To encourage small-scale economic development that will fit the scale and rural atmosphere of the town.

***Objective:*** Locate future businesses in areas that will enhance the rural character of the town.

***Policies:***

- A. Commercial and industrial growth should be consolidated in areas where needed services exist or can be readily extended.
- B. Evaluate the capacity of existing infrastructure, roads, electricity, public safety services, etc. to accommodate any new economic development.
- C. Locate highway dependent businesses would provide commercial service to local and through traffic along USH 141/8.
- D. Consider controlling signage, lighting, landscaping, and access of business sites located in the town.
- E. Home-based businesses are allowed until they outgrow the existing property and need a zoning change as detailed in the Marinette County Zoning Ordinance.
- F. Preserve the town’s many productive agricultural lands and natural features.
- G. Work with Marinette County to promote the many recreational opportunities in the Niagara area.

**Programs:**

- Direct industrial development to the City of Niagara, which is better served by existing infrastructure.
- Coordinate with county, state, and federal agencies to explore innovative ways to preserve farming in the town.
- Before rezoning farmlands to non-agricultural uses, consider the value of the agricultural lands and rural atmosphere of the town.
- Work with Marinette County to maintain County forestlands.
- Support the Marinette County Association for Business and Industry in their efforts to market the area and maintain services and programs to grow the county’s economy.

## **TRANSPORTATION**

**GOAL:** To advocate for a safe and efficient motor and non-motorized transportation system.

***Objective 1:*** Promote an efficient road system that ensures efficient mobility and accessibility while protecting the safety of its users.

***Policies:***

- A. Promote a transportation system that is consistent with surrounding land uses and can readily adapt to changes in transportation demand and technology.
- B. Transportation systems should reduce accident exposure and provide travel safety.
- C. Support safe and convenient pedestrian traffic movement for people of all ages and physical abilities.
- D. Encourage a transportation system that identifies and preserves multi-use utility and transportation corridors.
- E. Protect existing investments in the road network with proper maintenance.

**Programs:**

- Consider transportation needs of the elderly and special needs populations.
- Bicyclists and pedestrians should be afforded a comfortable margin of safety on streets and roads by ensuring compliance with American Association of State Highway and Transportation Officials (AASHTO) and Manual of Uniform Traffic Control Devices (MUTCD) guidelines and standards.
- Continue conducting an annual assessment of road pavement conditions, road drainage and ditch maintenance needs, adequacy of existing driveways and culverts relative to safe access, and adequacy of sight triangles at road intersections.

***Objective 2:*** Encourage a transportation system that complements and enhances the rural character and natural environment of the town.

***Policies:***

- A. Advocate for transportation projects that contribute to improved air quality and reduced energy consumption.
- B. Advocate for transportation corridors that are well maintained to allow for safe travel, while providing scenic views of the town.
- C. Avoid adverse impacts on environmental corridors and other significant natural areas during the planning and development of transportation facilities.
- D. Minimize negative impacts to productive forests and accommodate forest product transportation needs.

**Program:**

- Encourage transportation demand management strategies that reduce the number of single occupant vehicles, such as park-and-ride lots and carpooling.

**UTILITIES/COMMUNITY FACILITIES**

**GOAL:** To provide high quality public services to all residents of the Town of Niagara and provide for the orderly development of the town through planned development of public services.

***Objective:*** Promote community facilities and public services that are well maintained and sufficient for the needs of the town residents.

***Policies:***

- A. Encourage concentrated development in areas where appropriate utilities, community facilities, public services are readily available.
- B. Continue to coordinate, consolidate, and share governmental facilities and services where practicable.
- C. Monitor resident satisfaction regarding services and remain informed about the needs of service providers to relocate or upgrade their services.
- D. Provide safe and convenient ADA (Americans with Disabilities Act) accessibility to all public buildings.
- E. Promote the use of renewable energy sources such as biomass, geothermal, wind power, solar, etc., where feasible.
- F. Work cooperatively with municipalities and select service providers to upgrade telecommunication and electrical services when needed.
- G. Explore the use of shared on-site wastewater treatment systems to allow for the consolidation of development and preservation of land resources.

**Programs:**

- Continue to encourage “mutual aid agreements” for all public services being provided (e.g., emergency medical, fire, etc.).
- Work with adjacent communities, Marinette County, City of Niagara, Niagara School District, and other jurisdictions to maximize the joint use of community facilities to reduce costs, promote efficiency in use, and avoid duplication and overbuilding of services.

**PARKS AND RECREATION**

**GOAL:** To continue to promote the variety of park and recreational activities within the town.

***Objective:*** Advocate for safe recreational sites within the town that provide a variety of activities to serve various age and interest groups.

***Policies:***

- A. Cooperate with the county on maintenance and enhancement of existing parks and consider the development of future recreational lands within the town and county.
- B. Consider access for the disabled, elderly, and young when planning, designing, and constructing all new recreation projects, including parking, trails, etc.
- C. Provide input into future updates to the Marinette County Comprehensive Outdoor Recreation Plan.
- D. Future recreational areas should be interconnected with the existing trail system.
- E. Consider utilizing identified environmental corridors for public parks and recreational use, where practicable and where natural features will not be negatively impacted.

**Programs:**

- The town should continue to work with Marinette County and the State of Wisconsin to promote the various recreational facilities in the Town of Niagara.
- Explore available resources and contact appropriate agencies (e.g. WDNR, Bay-Lake Regional Planning Commission, etc) to further enhance the quality of the town's recreational systems.
- Utilize the town's official mapping powers to preserve areas designated for future park and recreational uses.

**INTERGOVERNMENTAL COOPERATION**

**GOAL: To communicate with Marinette County, neighboring communities, and other interested groups and agencies on future planning projects.**

***Objective:*** Promote cooperation between the Town of Niagara and any other municipality or government entity that makes decisions that affect the town and surrounding area.

***Policies:***

- A. Work cooperatively with surrounding municipalities to address possible boundary issues to minimize conflicts.
- B. Develop coordination and sharing/joint ownership of community facilities, equipment, and other services whenever possible.
- C. Promote cooperation and communication with the City of Niagara and the Niagara School District to collectively support quality educational opportunities.
- D. Utilize the Wisconsin Towns Association (WTA) for publications and participation in cooperative training programs to assist the town and its officials.



**Programs:**

- Encourage improved participation with neighboring communities regarding meetings, workshops, mutual planning activities, etc.
- The Town Board or its representative (as the responsible party) is encouraged to meet annually and work with Marinette County, the Bay-Lake Regional Planning Commission, or other planning agencies on town planning activities, and county and regional planning activities.
- Work with Marinette County, neighboring communities, and agencies regarding natural resource related issues on land uses that cross town lines such as Marinette County Forest land.
- Maintain “mutual aid agreements” for public services.

**Implementation Steps**

Town officials should establish a general process and timetable for addressing the development strategies that will ultimately lead to implementing the *Town of Niagara 20-Year Comprehensive Plan*. Steps to address the development strategies could include the following:

1. To ensure the comprehensive plan remains current, plan review should be a standing agenda item for at least two (2) Plan Commission meetings and a minimum of one (1) Town Board meeting per year. The review of the comprehensive plan should also include assessment of the town’s land use control tools (e.g., ordinances and regulations).
2. The Plan Commission and Town Board should identify priority policies and programs that need to be addressed within the first 12-24 months. These priority strategies will lead to the implementation of additional policies and programs in subsequent years.
3. Town officials should identify key stakeholders and collaborators to assist in the implementation of the development strategies. A list of some of those entities is provided in the next section of this chapter.
4. The priority policies and programs should be separated based on topic, such as natural resources, housing, transportation, economic development, and parks and recreation. The separation of policies and programs by topic will allow for the delegation of projects to other entities.
5. The Town of Niagara has many tools available for the implementation of the community development strategies over the 20-year planning period. Within the appendices of *Volume II: Marinette County Resources*, there are comprehensive lists of financial and technical resources available to implement many of the strategies listed for the housing, economic development, and transportation elements of the plan.
6. The implementation schedule should be evaluated and revised on an annual basis. Town officials will need to monitor the *Inventory and Trends* highlighted in Chapter 2 to ensure the development strategies address the changing conditions in the Town of Niagara.

### **Stakeholders**

Bay-Lake Regional Planning Commission  
Marinette County  
Marinette County Highway Department  
Marinette County Land Conservation Department  
Marinette County Land Information Department  
Marinette County Forestry & Parks Department  
Marinette County UW-Extension  
Niagara School District  
Adjoining Towns and Counties  
United States Department of Agriculture, Natural Resources Conservation Service  
Wisconsin Department of Commerce  
Wisconsin Department of Natural Resources  
Wisconsin Department of Transportation  
Wisconsin Housing and Economic Development Authority (WHEDA)  
Wisconsin Department of Administration

### **Priorities**

1. Continue to work cooperatively with Marinette County to update the Marinette County General Zoning Ordinance in order to ensure the vision of the *Town of Niagara 20-Year Comprehensive Plan* can be achieved.
2. Consider adopting ordinances that are more restrictive than those currently being enforced by Marinette County to address specific issues affecting the town, and to provide additional protection to natural features.
3. Work with Marinette County to explore developing plans and processes aimed at protecting the quality and quantity of the town's water resources, which could include such projects as stormwater management planning, identifying and developing a plan to protect vital groundwater recharge areas, developing and enforcing erosion control measures; and restoration of wetlands.
4. Explore working cooperatively with Marinette County to develop a countywide subdivision ordinance or establish a town subdivision ordinance to regulate parcel arrangement, encourage orderly growth, and promote efficient provision of public services.
5. Continue to utilize a pavement management system to ensure the town's road network can continue to effectively serve current and future populations.
6. Continue to work with surrounding communities, Niagara School District, and Marinette County to efficiently provide quality, cost effective public services. As part of this, the town will continue to evaluate all mutual-aid agreements that are in place and consider other potential opportunities.
7. Work with Marinette County and local, state, and federal agencies to promote best management practices for forestry and agricultural activities, such as water quality protection, nutrient management planning, and establishment of land buffer programs.
8. Cooperate with surrounding towns, Niagara School District, and Marinette County to discuss future planning projects and development concerns to lessen potential conflicts.

**VOLUME I - APPENDIX A**  
**PUBLIC PARTICIPATION RESOLUTION**



**- Town of Niagara -**  
**Marinette County, Wisconsin**

**Procedures  
for Public Participation  
for Adoption or Amendment of the  
Town of Niagara  
Comprehensive Plan**



**Town of Niagara,  
Marinette County, Wisconsin  
Resolution No. 2009-7-A**

**RESOLUTION ADOPTING WRITTEN PUBLIC PARTICIPATION  
PROCEDURES**

**WHEREAS**, the Town of Niagara is preparing a Comprehensive Plan under Wis. Stats. 66.1001, and;

**WHEREAS**, the Town of Niagara may amend the Comprehensive Plan from time to time, and;

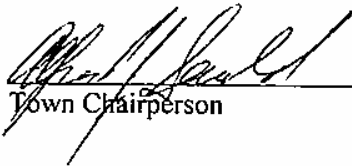
**WHEREAS**, Wis Stats 66.1001 (4) requires a governing body of a local unit of government adopt written procedures designed to foster public participation in the adoption or amendment of a comprehensive plan and;

**WHEREAS**, the Town has prepared and publicly reviewed such written procedures entitled Procedures for Public Participation for Adoption or Amendment of the Town of Niagara Comprehensive Plan;

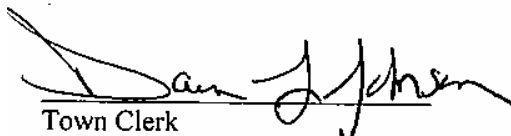
**NOW THEREFORE BE IT RESOLVED**, the Town Board of Supervisors of the Town of Niagara officially adopts Procedures for Public Participation for Adoption or Amendment of the Town of Niagara Comprehensive Plan .

Adopted this 8<sup>th</sup> day of July, 2009

Approved:

  
Town Chairperson

Attest:

  
Town Clerk

**TOWN OF NIAGARA**  
**Marinette County**  
**COMPREHENSIVE PLAN**  
**“WRITTEN PROCEDURES TO FOSTER PUBLIC PARTICIPATION”**

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**PURPOSE**

In accordance with Wisconsin State Statute 66.1001(4), which defines “Procedures For Adopting Comprehensive Plans”, these adopted written procedures will be followed in order to involve the public in the comprehensive planning process to the greatest extent practicable. These procedures are designed to foster public participation, including open discussion, communication programs, information services, and public meetings and shall apply to the adoption and any amendments to the comprehensive plan.

**PLAN COMMISSION AND COMMITTEE MEETINGS**

The Town of Niagara Plan Commission will develop and review the comprehensive plan. This body will adopt the plan by resolution and petition the Town Board to adopt the plan by ordinance.

All meetings of the Town of Niagara Plan Commission will be posted in advance and open to the public in accordance with Wisconsin law. The agenda shall provide for comments from the public. To foster intergovernmental cooperation, copies of the agenda will be sent in advance to adjacent municipalities and to Marinette County.

**COMMUNITY NOMINAL GROUP EXERCISE**

The Town will conduct a nominal group exercise as part of the preparation and update of the Comprehensive Plan and any subsequent updates to the plan as appropriate. The results of the Nominal Group session will guide the Plan Commission and Town in developing the comprehensive plan and each of its components.

**OPEN HOUSES**

A minimum of two (2) “Open Houses” shall be held during the development of the comprehensive plan in order to present information regarding the comprehensive plan and to obtain public comment. One shall be held at the “midway” point to present background information, and the second open house will be held near the end of the planning process to present the plan prior to the required public hearing. The open houses shall be noticed in a local newspaper. In addition, the open houses will be noticed and posted in three locations by the Town Clerk. The open houses will provide the public with an opportunity to review and comment on work that has been accomplished by the Plan Commission and the Bay-Lake Regional Planning Commission.



**PUBLIC ACCESS AND PUBLIC COMMENT ON DRAFT DOCUMENT**

In all cases Wisconsin’s open records law will be complied with. During the preparation of the comprehensive plan, a copy of the draft plan will be kept on file at the Town Hall and will be available for public inspection during normal office hours. The public is encouraged to submit written comments on the plan or any amendments of the plan. Written comment should be addressed to the Town Clerk who will record the transmittal and forward copies of the comments to the Plan Commission or Town Board for consideration.

The Town Board shall respond to written comments either individually or collectively by type of comments. Town Board responses may be in the form of written or oral communication, or by a written summary of the Town’s disposition of the comments in the comprehensive plan.

**COMPREHENSIVE PLAN COMMITTEE ADOPTION OF PLAN BY RESOLUTION**

The Town of Niagara Plan Commission may recommend the adoption or amendment of the comprehensive plan only by the adoption of a resolution by a majority vote of the entire Commission at a regularly scheduled and publicly noticed meeting of the Plan Commission in accordance with s. 66.1001 (4) b. The vote shall be recorded in the official minutes of the Plan Commission. The resolution shall refer to maps and other descriptive materials that relate to one or more elements of the Comprehensive Plan.

**DISTRIBUTION OF THE ADOPTED PLAN**

In accordance with State Statute 66.1001(4), *Procedures for Adopting Comprehensive Plans*, one copy of the adopted plan or amendment shall be sent to the following:

1. Every governmental body that is located in whole or in part within the boundaries of the local governmental unit.
2. Every local governmental unit that is adjacent to the local governmental unit which is the subject of the plan.
3. The Wisconsin Land Council
4. The Wisconsin Department of Administration
5. The Bay-Lake Regional Planning Commission
6. The public library that serves the Town of Niagara.

**ADOPTION OF COMPREHENSIVE PLAN BY TOWN BOARD**

After adoption of a resolution by the Town of Niagara Plan Commission, the Town Board will adopt the Comprehensive Plan by ordinance only after holding at least one public hearing at which the ordinance relating to the Comprehensive Plan is discussed. A majority vote of the members-elect is necessary for adoption. That hearing will be preceded by a Class 1 notice under ch. 985 that is published at least 30 days before the hearing is held. The Class 1 notice shall contain at least the following information:

1. The date, time, and place of the hearing.
2. A summary, which may include a map, of the proposed Comprehensive Plan.
3. The name of an individual employed by the Town of Niagara who may provide additional information regarding the proposed ordinance.
4. Information relating to where and when the proposed comprehensive plan may be inspected before the hearing, and how a copy of the plan may be obtained.

Upon the day of publication of the public hearing notice, copies of the plan will be made available for public review at the nearest local library of the community, at the Marinette County Zoning Office and at the Town Hall. Written comments on the plan from members of public will be accepted by the town board at any time prior to the public hearing and at the public hearing.

**ADDITIONAL STEPS FOR PUBLIC PARTICIPATION**

The Town reserves the right to execute additional steps, means, or methods in order to gain additional public participation and or additional understanding of the Comprehensive Plan and the process of its development and adoption. These optional steps may include informational memos, postcards, letters, posters, fliers, or WEB site.

**STATE STATUTES**

Where there is a conflict with these written procedures and provisions of s. 66.1001 (4) Procedures for Adopting a Comprehensive Plan, the state statutes shall apply.

**AMENDMENTS**

The Town Board may amend these procedures from time to time.

**VOLUME I - APPENDIX B**  
**NOMINAL GROUP RESULTS**



**Marinette County  
Northern Towns Nominal Group Process Results  
Pembine, Wisconsin  
August 5, 2008**

The following responses were generated by representatives of the towns of Dunbar, Goodman, Niagara, and Pembine when asked to list opportunities, issues, or concerns that are most important to them regarding existing and future development in Marinette County and their town. The group then ranked the identified opportunities/issues/concerns. The results below are listed in order of the ranking with the top three opportunities/issues/concerns identified. The number of votes each opportunity/issue/concern received is in parenthesis.

**Town of Dunbar**

<b>1.</b>	<b>Community Center (8)</b>
<b>2.</b>	<b>Property maintenance ordinance to beautify town (6)</b>
<b>3 (tied).</b>	<b>Enforcement of existing ordinance (4)</b>
<b>3 (tied).</b>	<b>Tax incentive for build improvements (4)</b>
<b>3 (tied).</b>	<b>Tax incentive for building improvements (4)</b>
	Create industrial park (3)
	Larger town board (3)
	Decrease speed limit and change passing zone (2)
	Encourage greater agriculture/land use controls (2)
	Attract younger people (1)
	ATV Trails (1)
	Greater communication with neighboring communities (1)
	Historical authenticity – Monument Lumber Mill (1)
	More police coverage (1)
	Apartments for older people
	Bible College (more involved in our town)
	Bring in new businesses
	Maintain rural setting
	Park tourist center
	Rec. area for kids

**Town of Goodman**

<b>1 (tied).</b>	<b>Creation of town website (1)</b>
<b>1 (tied).</b>	<b>Development of park within community center (1)</b>
<b>1 (tied).</b>	<b>Enhance wetlands for recreational opportunities such as wildlife viewing/hunting/observation tower (1)</b>
<b>1 (tied).</b>	<b>Expand and attract developers to town housing development (1)</b>
<b>1 (tied).</b>	<b>Expand industrial park both geographically and number of businesses (1)</b>
<b>1 (tied).</b>	<b>Improve town roads/maintenance schedule (1)</b>
<b>1 (tied).</b>	<b>Maintain the quality and quantity of county land within the town such as forestry, recreation etc. (1)</b>

	Continue and improve the promotion of the benefits of the town
	Extend availability of natural gas service to all developed areas of the town
	Extend railroad spur to industrial park
	Promote use of existing agriculture properties including cash crop/farming/hobby farms
	Regulate the placement of mobile homes

**Town of Niagara**

<b>1.</b>	<b>Develop park/campground to attract tourism (5)</b>
<b>2 (tied).</b>	<b>Eliminate waste from industry (4)</b>
<b>2 (tied).</b>	<b>Local control over industry waste (4)</b>
<b>2 (tied).</b>	<b>No condos/apartments on river (4)</b>
<b>2 (tied).</b>	<b>Park and ride on 141/8 intersection and truck safety pull-out (4)</b>
<b>3 (tied).</b>	<b>Develop business along 141/8 corridors (3)</b>
<b>3 (tied).</b>	<b>Town should acquire land on Menominee River for park/campground (3)</b>
	Possibility of obtaining county land for industrial park (2)
	Town should have garbage pick up (2)
	Turning land/pull-off on Morgan Park Rd. (2)
	Communication between committee and town board getting better (1)
	Improve road funding (1)
	Open up county land for all types of trail system (1)
	Eliminate development on river/preserve river
	Eliminate junk cars, abandoned trailer, etc.
	Maintain total acres – of county property in town
	Promote town ordinance/information on county website
	Road from 141 to County O
	Too far from county seat

**Town of Pembine**

<b>1.</b>	<b>Take care of old abandoned buildings (6)</b>
<b>2 (tied).</b>	<b>Improve business climate (5)</b>
<b>2 (tied).</b>	<b>Keep small town atmosphere (5)</b>
<b>2 (tied).</b>	<b>Update ordinances (5)</b>
<b>3.</b>	<b>Explore limiting/lessening zoning in the future (4)</b>
	Ability to enforce ordinances (3)
	Get public sewer and water (3)
	Explore the possibility of Pembine, Beecher, and Dunbar becoming one town in the far future (2)
	Park improvement (2)
	Remove cut trees from both sides of Hwy 41 (2)
	Cut brush and weeds from along roads more often (1)
	Have railroad clean-up/better maintain their tracks (1)
	Improve street sewer and gutter (1)
	Would like county forest land released to town (1)

**VOLUME I - APPENDIX C**  
**ECONOMIC WORKSHOP RESULTS**





**Marinette County  
Northern Towns Economic Workshop Results  
Niagara, Wisconsin  
September 22, 2008**

The following responses were generated by representatives of the towns of Dunbar, Goodman, Niagara, and Pembine when asked when asked the following questions related to economic development in Marinette County and their community.

**Question 1:** This question is related to your positive experience with a community, village, city, or town. Tell me about a time when you visited a new community of which you had no prior knowledge that left a very lasting impression on your mind. Describe what you saw and what made it stand out. What was it that made it different or distinct?

**Dunbar**

- Industry that isn't same old-new industries for future such as alternative fuels
- Beautification of town
- Railway expanded for tourism such as passenger
- Industrial Park project
- Representation of history

**Niagara**

- Natural beauty transitioning to industry
- Using paper mill for multi-use with small business
- Develop/inventory of town assets
- Small, retail businesses
- Investment in town
- Hiking trails
- Passive sports
- Campground/park additions
- Crivitz has all services/products you need-you don't have to leave for anything

**Town & City of Niagara**

- Working together and putting \$ together
- Expand recreation

**Petoskey, MI**

- Landscape, cleanliness, continuity, well-kept
- Parks and greenspace
- Enhanced areas
- Events
- Beautification

**Goodman**

- Self sustaining
- Modernized but with all services in area like in past
- Sense of pride, happy working together
- Inviting to outsiders
- Sense of security/growth=opportunity
- No vacant structures
- Recreation destination
- Tourism

**Small Tennessee Town**

- Neat and orderly
- Family oriented
- Activities year round
- Friendly
- Community stands out right from sign
- Everyone treated the same
- Beautify town, keep up sidewalks
- Town sewer and water
- Beautification with flowers and benches in town

**Pembin**

- Nice town hall and park
- Consolidated FD with surrounding towns
- Need street and sidewalk work/updates

**Frankenmuth, MI and Philipsburg, MT**

- Attractiveness of town is important
- Planned and coordinated redevelopment of business façade/theme

**Wausaukee**

- Develop passenger rail service through N. Marinette towns
- Take care of vacant buildings
- Schools need help, perhaps consolidate
- Beautification (flowers & benches)
- Attractive Main Street
- Need to keep young people here
- Need business and industry for young people to work
- Support home-based start up businesses

**Question 2:** Image that you fall into a deep and relaxing sleep tonight, and you don't wake up until the year 2015. When you awake, you see that a miracle has occurred. Major economic changes have taken place, and everything you had hoped for has happened. You can truly say, without reservation, that this looks like exactly what it should be and is better than what you thought it could be. What do you see? What does it look like? What's going on around you? What is happening that is new and different? What do you see in terms of people, purposes, values, systems, ways of thinking, fiscal performance, others? What do you see in terms of economic development, local businesses, commerce, and industry? How is it different than what you community is now?

- Ashland, WI is thinking sustainability. N. Marinette should be thinking about this.
- More housing starts
- More trails and bike paths
- More trails for passive sports

**Question 3:** If you could develop or transform your community in any way, what three wishes would you make to heighten its overall economic health and vitality?

- Get mill running
- More marketing & promotion
- More small business
- Town of Niagara website (combine T & C)
- Improve economics in Niagara
- Set building appearance standards
- Economic stability and growth in Goodman
- Safety in community (Goodman)
- Proactive townspeople (not reactive) in Goodman
- More cooperation
- Organized hikes/educational nature walks
- County release forest land for same to Pembine developers
- Clean up buildings and improve roads and infrastructure in Pembine
- Uniform downtown plan
- Hi-tech jobs
- Need good quality bike trails in county
- Need equine trail in county (none in county)



**VOLUME I - APPENDIX D**  
**INTERGOVERNMENTAL COOPERATION RESULTS**



**Marinette County**  
**Northern Towns Intergovernmental Cooperation Workshop Results**  
**Niagara, Wisconsin**  
**May 19, 2008**

The following responses about intergovernmental cooperation were generated by representatives of the towns of Dunbar, Goodman, Niagara, and Pembine.

**Intergovernmental Issues and Examples of Beneficial Relationships:**

- Better cooperation between school district to lower costs
- Shared judicial system/constable between towns (i.e. municipal court)
- Shared rescue and fire department works out well
- Shared school district works out well
- Shared police support may be a good idea to improve response time
- Cooperation between city and town of Niagara would be a good idea with regard to extraterritorial zoning
- City of Niagara’s Wellhead Protection Ordinance puts control on town of Niagara land for wells outside city
- City and town of Niagara have a mutual agreement on fire, police, animal control, industrial park
- City and town of Niagara joint municipal court may be a good idea
- Laona and Wabeno is a good example of a municipal court that is working well jointly
- Need less rules and regulations
- Good opportunities for cooperative studies between northern Marinette County, Florence County and U.P. Michigan - especially regarding education
- Need more regional efforts as a way to pool funds in Northern Wisconsin and U.P.
  - Education (to keep young people in the area)
  - Ethanol production
- County needs to take more input from the towns
- Foundry sands (from Michigan where it is considered a contaminated waste) are dumped in towns and negatively impact them. Towns are powerless to stop dumping.
- Extra taxation of foundry sand dumping may be a solution (to above)
- Concerns about water contamination from landfills
- Lack of involvement from young people
- Losing many of the young professional that leave the area
- Declining aquifer concerns. Future utilities that provide municipal supply could provide a solution.
- Encouragement needs to be given to the youth to stay in the area
- Expand Bay College and NWTC and show high school students the opportunities to get a 2-year education locally and then stay in the area
- The area has an “image problem” that prevents young professional from staying in the area
- Need improved broadband throughout county, especially northern towns
- Look at regional scholarships to keep youth in area. Utilize outside foundations
- Need more non-motorized trails—a lot more motorized trail than non-motorized and one cannot be used for the other

- Little opportunity to develop in towns because County owns so much. Also, affects tax base.
- Need more trails and parks throughout towns to bring in tourism dollars
- Getting land released from managed forest is not a county issue, it must be requested from the state and is very difficult
- Managed forest laws need to be revisited because it is too difficult for towns that lose tax base
- City of Niagara public safety resources are strained and it is difficult to work with public safety being so far away in Marinette
- Lack of interstate commerce between WI and MI. But big steps forward have been made with some regional efforts
- Police coverage is a concern. Overtime is required to bring people to Marinette.
- Need expanded recreational opportunities
- Concern about whether those issuing septic permits are aware of 400' buffer requirement from municipal well (e.g. City of Niagara well in town of Niagara)



**VOLUME I - APPENDIX E**  
**LAND USE INVENTORY**



<b>TOWN OF NIAGARA LAND USE INVENTORY</b>		
<b>CODE</b>	<b>LAND USE CLASSIFICATION</b>	<b>ACRES</b>
<b>100 RESIDENTIAL</b>		
110	Single-Family Residential	198.7
130	Two-Family Residentail	0.01
180	Mobile Homes	9.4
199	Vacant Residential	3.3
<b>200 COMMERCIAL</b>		
210	Retail Sales	16.6
<b>300 INDUSTRIAL</b>		
310	Manufacturing	10.8
360	Extractive	16.8
380	Storage	9.6
<b>400 TRANSPORTATION</b>		
410	Motor Vehicle Related	178.3
414	Local Streets and Roads	469.0
415	County Forest Roads	122.5
440	Rail Related	123.1
<b>500 COMMUNICATION/UTILITIES</b>		
510	Generation/Processing of Communications/Utilities	0.3
540	Transmission of Communications/Utilities	0.7
580	Waste Processing/Disposal/Recycling	3.6
<b>600 INSTITUTIONAL/GOVERNMENTAL</b>		
610	Administrative Institutions/Government Facilities	1.3
690	Religious and Related Facilities	2.6
699	Vacant Institutional/Governmental	0.4
<b>700 OUTDOOR RECREATION</b>		
731	Campgrounds	8.2
736	Parks/Parkways/Forest-related Picnic Areas	9.1
741	Playfields/Ball Diamonds/Volleyball Courts/Tennis Courts	2.1
761	Golf Courses	35.8
780	Water-related Activities	1.0
<b>800 AGRICULTURE/SILVICULTURE</b>		
805	Open Space	3.9
810	Croplands/Pastures	1,976.8
830	Long-Term Specialty Crops	4.5
870	Agricultural Structures/Accessories	58.6
<b>900 NATURAL AREAS</b>		
911	Lakes	198.3
912	Reservoirs and Ponds	42.8
913	Rivers and Streams	521.7
950	Other Natural Areas, including Open Space	2,229.1
951	Woodlands	37,474.7
<b>TOTAL ACRES</b>		<b>43,733.4</b>



**VOLUME I - APPENDIX F**  
**GLOSSARY OF TERMS**



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## Planning and Zoning Definitions

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- Alley:** a permanently reserved public or private secondary means of access to an abutting property.
- Accessory Structure:** a detached subordinate structure located on the same lot as and incidental to the principal structure.
- Accessory Use:** a use incidental to and on the same lot as a principal use. *See also* “accessory structure” and “principal building”.
- Acre:** a unit of area used in land measurement and equal to 43,560 square feet. This is approximately equivalent to 4,840 square yards, 160 square rods, 0.405 hectares, and 4,047 square meters.
- Adaptive Reuse:** the conversion of obsolescent or historic buildings from their original or most recent use to a new use.
- Adequate Public Facilities Ordinance (APFO):** an ordinance that ties development approvals to the availability and adequacy of public facilities. Adequate public facilities are those facilities relating to roads, sewer systems, schools, and water supply and distribution systems.
- Administrative Appeal (Appeal):** a quasi- judicial\* process before the local zoning board to review a contested ordinance interpretation or an order of an administrative zoning official.
- Adverse Impact:** a negative consequence to the physical, social, or economic environment.
- Aesthetic Zoning:** the regulation of building or site design to achieve a desirable appearance.
- Affordable Housing:** housing that has its mortgage, amortization, taxes, insurance, and condominium and association fees constituting no more than 30% of the gross household income per housing unit. If the unit is rental, then the rent and utilities constitute no more than 30% of the gross household income per rental unit. *See s. COMM 202.01, Wis. Admin. Code.*
- Agriculture:** the use of land for farming, dairying, pasturage, apiculture (bees), aquaculture (fish, mussels), horticulture, floriculture, viticulture (grapes), or animal and poultry husbandry; this includes the necessary accessory uses for packing, treating, or storing the produce from these activities. *See also* ss. 30.40( 1) and 91.01( 1), *Wis. Stats* .
- Agricultural Conservation Easement:** conservation easements that restrict specifically farmland from development or specified farming practices and give farmers income, property, and estate tax reductions.
- Agricultural Protection Zoning:** a method for protecting agricultural land use by stipulating minimum lot sizes or limitations on non- farm use.
- Air Rights:** the ownership or control of all land, property, and that area of space at and above it at a height that is reasonably necessary or legally required for the full use over the ground surface of land used for railroad or expressway purposes.
- Amendment:** a local legislative act changing a zoning ordinance to make alterations, to correct errors, or to clarify the zoning ordinance. A class 2 notice must be published and a public hearing must be held before a county board may adopt a proposed amendment. *See s. 59.69, Wis. Stats.*
- Amenities:** features that add to the attractive appearance of a development, such as underground utilities, buffer zones, or landscaping.
- Americans with Disabilities Act (ADA):** a congressional law passed in 1990, which provides a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities as well as clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities.
- Amortization:** a method of eliminating nonconforming uses (usually minor structures) by requiring the termination of the nonconforming use after a specified period of time, which is generally based on the rate of economic depreciation of the use or structure.
- Annexation:** the process of incorporating an area of land in a township into a municipality. *See* ch. 66, subch. II, *Wis. Stats.*
- Appellate Body:** a body authorized to review the judgments made by administrative officers. For example, a board of adjustment hears appeals of the decisions of a county zoning administrator.
- Aquatic and Terrestrial Resources Inventory (ATRI):** a public and private partnership to gather, link, and make available data used for decisions affecting Wisconsin’s landscape; a systematic and comprehensive information management system developed by the Wisconsin DNR to improve environmental and resource management decisions.
- Aquifer:** a geologic formation, usually comprised of saturated sands, gravel, and cavernous and vesicular rock, that carries water in sufficient quantity for drinking and other uses.
- Aquifer Recharge Area:** the surface area through which precipitation passes to replenish subsurface water bearing strata of permeable rock, gravel, or sand.
- Architectural Control/ Review:** regulations and procedures requiring the exterior design of structures to be suitable, harmonious, and in keeping with the historic character or general style of surrounding areas.
- Area Variance (Variance):** the relaxation of a dimensional standard in a zoning ordinance decided by a local zoning board. *See* ss.59.69, 60.61, 60.62 and 62.23, *Wis. Stats* .
- Arterial:** a major street, which is normally controlled by traffic signs and signals, carrying a large volume of through traffic.

- Bargain Sale:** the sale of land (to a conservation organization, for example) at less than market value.
- Base Flood:** a flood that has a one percent chance of being equaled or exceeded in any give year, commonly called a 100- year flood. *See also “floodplain”.*
- Benchmark:** a performance- monitoring standard that allows a local government to periodically measure the progress of a local comprehensive plan’s goals and policies; also, a fixed and recorded elevation point from which another, relative elevation can be surveyed.
- Berm:** A low earthen ridge constructed as a landscaping feature or to direct runoff or deflect noise.
- Best Management Practices (BMPs):** the conservation measures and management practices intended to lessen or avoid a development’s impact on surrounding land and water.
- Billboard:** a sign that identifies or communicates a message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.
- Block:** a unit of land or contiguous lots or parcels bounded by a roadway or other barrier.
- Board of Appeals/ Board of Adjustment (BOA):** a board of appointed individuals that hears appeals on variances and exceptions. Board of Appeals applies to cities, villages, and towns, whereas Board of Adjustment applies to counties.
- Brownfields:** lands contaminated by spills or leaks and that are perceived to be unsuitable for future development due to its hazardous nature or owner liability concerns.
- Buffer Area:** an area separating two incompatible types of development or a development and sensitive natural resources.
- Build Out:** the maximum, theoretical development of land as permitted under zoning regulations.
- Build Out Analysis:** a projection, based on the maximum, theoretical development of all lands, of the impact of a community’s cumulative growth.
- Building Coverage:** *See “lot coverage”.*
- Building Line:** the line parallel to the street line that passes through the point of the principal building nearest the front lot line.
- Building Scale:** the relationship between the volume of a building and its surroundings, including the width of street, amount of open space, and volume of surrounding buildings. Volume is determined by the three- dimensional bulk (height, width, and depth) of a structure.
- Bulk Regulations:** standards that establish the maximum size of structures on a lot and the location where a building can be, including coverage, setbacks, height, impervious surface ratio, floor area ratio, and yard requirements.
- Bundle of Rights Concept of Property:** *See “rights”.*
- Business Improvement Districts (BID):** an area within a municipality consisting of contiguous parcels subject to general real-estate taxes other than railroad rights- of-way and that may include railroad rights- of- way, rivers, or highways continuously bounded by the parcels on at least one side. *See s. 66.1109( 1)( b), Wis. Stats.*
- Business Incubator:** retail or industrial space, which may offer shared or subsidized management support such as information and advice on regulations, advertising, promotion, marketing, inventory, labor relations, and finances and facility support such as clerical staff, security, electronic equipment, and building maintenance that is affordable to new, low profit- margin businesses.
- By Right:** a use that complies with all zoning regulations and other applicable ordinances and that is permitted without the consent of a review board.
- Capital Improvement:** a physical asset that is large in scale or high in cost.
- Capital Improvements Plan/ Capital Improvements Program (CIP):** a city’s or county’s proposal of all future development projects and their respective cost estimates listed according to priority.
- Capital Improvement Programming/ Capital Improvement Planning:** the scheduling of budgetary expenditures for infrastructure to guide and pace development.
- Carrying Capacity Analysis:** an assessment of a natural resource’s or system’s ability to accommodate development or use without significant degradation.
- Census Tract:** a relatively permanent county subdivision delineated to present census data.
- Central Business District (CBD):** the primary, downtown commercial center of a city.
- Certificate of Appropriateness:** a permit issued by a historic preservation review board\* approving the demolition, relocation, or new construction in a historic district.
- Certificate of Compliance:** an official document declaring that a structure or use complies with permit specifications, building codes, or zoning ordinances.
- Cesspool:** a buried chamber such as a metal tank, perforated concrete vault, or covered excavation that receives wastewater or sanitary sewage to be collected or discharged to the surrounding soil.
- City:** an incorporated municipality. Cities are divided into the four following classes for administration and the exercise of corporate powers:



- a) Cities of 150,000 population and over- 1st class cities
- b) Cities of 39,000 and less than 150,000 population- 2nd class cities.
- c) Cities of 10,000 and less than 39,000 population- 3rd class cities.
- d) Cities of less than 10,000 population- 4th class cities.

See ch. 62, *Wis. Stats.*

**Clear Zone:** an area within a roadway right- of- way that is free of any obstructions, thus providing emergency vehicle access.

**Closed (Executive) Session:** a governmental meeting or portion closed to everyone but its members and members of its parent body for purposes specified in state law. Governmental meetings are subject to Wisconsin’s ‘Open Meetings Law.’ See s.19.81- 19.98, *Wis. Stats.*

**Cluster Development Zoning (Clustering):** concentrating the total allowable dwelling units on a tract of land into higher densities on a smaller portion of the tract, leaving the remaining land as open space. For example, in a five- acre minimum lot zoned area, 10 units would be constructed on 50 acres; however, 10 units could also be ‘clustered’ on 20 acres (allowing minimum two- acre lots), leaving the remaining 30 acres as common open space.

**Collector:** a street designed to carry a moderate volume of traffic from local streets to arterial\* streets or from arterial streets to arterial streets.

**Combination Zones:** a zone that is placed over another, now underlying zone and that adds or replaces existing requirements of the underlying zone.

**Commercial District:** a zoning area designated for community services, general business, interchange of services, and commercial recreation.

**Common Open Space:** squares, greens, parks, or green belts intended for the common use of residents.

**Community Development Block Grant (CDBG):** a grant program administered by the U.S. Department of Housing and Urban Development (HUD), the state departments of Administration and Commerce, and the Wisconsin Housing and Economic Development Authority (WHEDA) that provides money for community rehabilitation and development. See s.16.358 and 560.045, *Wis. Stats.*

**Community Development Zone:** Zones meeting certain requirements and designated by the state Department of Commerce for the purpose of administering tax benefits designed to encourage private investment and to improve both the quality and quantity of employment opportunities. The Community Development Zone Program has more than \$38 million in tax benefits available to assist businesses that meet certain requirements and are located or willing to locate in one of Wisconsin’s 21 community development zones. See s.560.70, *Wis. Stats.* See also “enterprise development zone”.

**Community of Place:** See “sense of place”.

**Comprehensive Plan:** a county development plan or city, village, town, or regional planning commission master plan prepared under and meeting the content requirements outlined in s.66.1001, *Wis. Stats.* Comprehensive plans provide a vision and general idea of how land should be used to assure public health, safety, and welfare.

**Concurrency Management System:** the process used to determine that needed public services are concurrent with a development’s impacts.

**Concurrency Test:** an analysis of public facilities’ ability to accommodate a development; in other words, adequate capacity of facilities must precede or be concurrent with a development’s demand.

**Conditional Use:** a land use, construction activity, or structural development, which must be tailored to the site conditions and adjacent property uses through a public and technical review process, that is listed as a conditional use in a zoning district.

**Conditional Use Permit:** a permit issued by a zoning administrator, if the applicant meets certain additional requirements, allowing a use other than a principally permitted use.

**Conditional Zoning:** special conditions an owner must meet in order to qualify for a change in a zoning district designation.

**Condominium:** real estate and improvements where portions are designated for separate ownership and the remainder for common ownership. See s.703.02, *Wis. Stat.*

**Congestion Mitigation and Air Quality Program (CMAQ):** a program under the U.S. Department of Transportation intended to fund transportation projects and programs in non- attainment and maintenance areas that reduce transportation- related emissions.

**Conservation Areas:** environmentally sensitive and valuable lands protected from any activity that would significantly alter their ecological integrity, balance, or character except in cases of overriding public interest.

**Conservation Development Zoning:** a type of cluster development zoning that emphasizes a planned unit development for preserving open space, wetlands, natural landscaping, floodplains, or other prioritized resources as well as for preventing stormwater runoff.

**Conservation Easement:** a recorded legal agreement between a landowner and a qualified conservation agency that transfers development rights from the owner to the agency to protect natural or historic features. See s. 700.40, *Wis. Stats.*

- Conservation Reserve Program:** a federal Department of Agriculture program that pays farmers to convert ‘erodible’ cropland into vegetative cover.
- Consolidated Metropolitan Statistical Area (CMSA):** a statistical area defined by the U.S. Census; a large metropolitan statistical area with a population of one million or more that includes one or more primary metropolitan statistical areas (PMSA). *See also “metropolitan statistical area” and “primary metropolitan statistical area” in this category.*
- Contested Case:** a hearing similar to a court proceeding where parties have a right to review and object to evidence and cross-examine witnesses who testify.
- Contiguous Properties:** properties sharing a property line.
- Cooperative Agreement:** an agreement between two or more organizations to share in the financing or managing of a property, providing of services, or some other joint venture. *Also see ss. 66.0307, 150.84, and 299.80, Wis. Stats. for specific examples of authorized agreements .*
- County:** a political subdivision of the state. Counties are delineated in ch. 2, *Wis. Stats.* Wisconsin has 72 counties. *See ch. 59, Wis. Stats.*
- cul de sac :** a circular end to a local street [*French* , “bottom of the bag” ]
- Dedication:** the transfer of property from private to public ownership.
- Deed Restriction:** a limitation, which is recorded with the county register of deeds and to which subsequent owners are bound, on development, maintenance, or use of a property.
- Design Guideline:** an activity standard that preserves the historic or architectural character of a site or building.
- Design Review/ Control:** an aesthetic evaluation, considering landscape design, architecture, materials, colors, lighting, and signs, of a development’s impact on a community
- Design Standards:** criteria requiring specific dimensional standards or construction techniques. *See also “performance standards”.*
- Detachment:** the transposition of land from a municipality back into a township. *See s. 66.0227, Wis. Stats.*
- Developer:** a person or company that coordinates the ownership, financing, designing, and other activities necessary for the construction of infrastructure or improvements.
- Development:** an artificial change to real estate, including construction, placement of structures, excavation, grading, and paving.
- Development Values:** the economic worth of land based upon the fair market price after residential, commercial, or industrial structures have been added.
- District:** a part, zone, or geographic area within the municipality where certain zoning or development regulations apply.
- Down Zoning:** a change in zoning classification that permits development that is less dense, intense, or restrictive. *See also “up zoning”.*
- Dwelling Unit:** the space in a building that comprises the living facilities for one family. *See also “multifamily,” “single- family attached,” and “single- family detached dwelling”.*
- Easement:** written and recorded authorization by a property owner for the use of a designated part of the property by others for a specified purpose. *See also “conservation easement”.*
- Ecological Impact:** a change in the natural environment that could disrupt wildlife habitat or vegetation, or that could cause air, water, noise, or soil pollution.
- Economic Unit:** units of land that, although they may be separated from one another physically, are considered one economically.
- Eminent Domain:** the right of a government unit to take private property for public use with appropriate compensation to the owner. *See ch. 32, Wis. Stats .*
- Enabling Act:** legislation authorizing a government agency to do something that was previously forbidden. *See also “takings”.*
- Enterprise Development Zone:** zones meeting certain statutorily defined criteria and designated by the state Department of Commerce for providing tax incentives to new or expanding businesses whose projects will affect distressed areas. An enterprise development zone is “site specific,” applying to only one business, and is eligible for a maximum of \$3.0 million in tax credits. The department can designate up to 79 zones, which can each exist for up to seven years. The department is allowed to vary zone benefits to encourage projects in areas of high distress. *See s.560.70, Wis. Stats. See also “community development zone”.*
- Environmental Corridors:** linear areas of natural resources that are critical to maintaining water quality and quantity and to providing habitat linkages that maintain biological diversity. Environmental corridors are often associated with rivers and streams.
- Environmental Impact Ordinance:** a local legislative act requiring an assessment of the potential harmful environmental effects of a pending development so that steps to prevent damage can be taken.

- Environmental Impact Report (EIR):** a report that assesses an area’s environmental characteristics and then determines the impact that a proposed development will have.
- Environmental Impact Statement (EIS):** a statement prepared under the National Environmental Policy Act (NEPA) or Wisconsin Environmental Policy Act (WEPA) predicting the impacts a proposed government action is likely to have on the environment and describing the affected environment and the alternative actions considered. *See* s.1.11, *Wis. Stats.*, P.L.91-190, 42 USC 4331, NR 150, *Wis. Admin. Code*.
- Environmental Nodes:** discrete, inherently non- linear areas of natural resources that are sometimes isolated from areas with similar resource features. Planning objectives often include linking environmental nodes.
- Environmentally Sensitive Areas:** areas such as wetlands, steep slopes, waterways, underground water recharge areas, shores, and natural plant and animal habitats that are easily disturbed by development.
- Esplanade:** waterfront area intended for public use.
- Estate Management Strategies:** strategies enacted during a landowner’s lifetime or upon her death to help preserve family lands and farms.
- Ex parte Contact:** communication, which is normally prohibited, with a decision maker in a quasi- judicial proceeding, which is not part of a public hearing or the official record in a matter.
- Exactions:** compensation, which may take the form of facilities, land, or an actual dollar amount, that a community requires from a developer as condition of the approval of a proposed development project. Exactions may be incorporated into the community’s zoning code or negotiated on a project- by- project basis; but, they must reflect the type and extent of the expected adverse impacts of the development.
- Executive Session:** *See “closed session”*.
- Extraterritorial Zoning:** a local government’s authority to zone areas outside its boundaries. Under Wisconsin law, the extraterritorial zone for 1st, 2nd, and 3rd class cities extends 3 miles beyond the corporate limits. The limit extends 1½ miles beyond the municipal boundary for 4th class cities and villages. *See* s.62.23( 7a), *Wis. Stats.* .
- Exurban Area:** the area beyond a city’s suburbs.
- Fee Simple Acquisition:** the purchase of property via cash payment.
- Fee Simple Interest in Property:** absolute ownership of and with unrestricted rights of disposition to land. This describes the possession of all rights to property except those reserved to the state. *See “rights”*.
- Fiscal Impact Analysis:** the projection of the costs and benefits of additional or new facilities, rentals, or remodeling of existing facilities, including data relative to increased instructional, administrative, maintenance, and energy costs and costs for new or replacement equipment.
- Fiscal Impact Report:** a report projecting the costs and revenues that will result from a proposed development.
- Floating Zone:** an unmapped zoning district that is described in ordinance and on the zoning map only when an application for development is approved.
- Floodplains:** land that has been or may be covered by flood water during a ‘regional flood’ as is defined in NR 116, *Wis. Adm. Code*. The floodplain includes the floodway and floodfringe, and is commonly referred to as the 100- year floodplain.
- *Floodfringe:* that portion outside of the floodway covered by water during a regional flood.  
This term is generally associated with standing water, but may under local floodplain zoning ordinances, be developed for specified purposes if development is protected from flooding.
  - *Floodway:* the channel of a river or stream and those portions of the floodplain adjoining the channel required to discharge a regional flood.  
This term is generally associated with flowing water and is required by local floodplain zoning ordinances to remain undeveloped and free of obstructions. *See also “base flood”*.
- Forest Crop Law:** a program enacted in 1927 that exempts DNR approved privately owned forest land from general property taxes but instead requires the owner to make an acreage share payment or a state contribution. Under the program, land is taxed at a constant annual rate while its timber is taxed after harvest. Entries into the FCL closed as of 1 January 1986 with enactment of the Managed Forest Law. Today about 25,000 landowners, owning more than 2.5 million acres, are enrolled in the three existing forest tax laws: Forest Crop Law, Woodland Tax Law, and Managed Forest Law. *See* ch. 70, *Wis. Stats.* .
- Front Lot Line:** the lot line separating an interior lot from the street, or the shortest lot line of a corner lot to a street.
- Gentrification:** the resettlement of low and moderate- income urban neighborhoods by middle and high- income professionals.
- Geographic Information System (GIS):** computer technology, tools, databases, and applications that provide spatial (geographic) data management, analysis, and mapping capabilities to support policy evaluation, decision- making, and program operations.
- Geologic Review:** an analysis of geologic features on a site, including hazards such as seismic hazards, surface ruptures, liquefaction, landslides, mud slides, erosion, and sedimentation.

- Gift Credit:** a dollar or in-kind matching amount (labor, supplies, land donation, etc.) required to secure funds for a development.
- Global Positioning System (GPS):** a computerized tool for determining longitudinal and latitudinal coordinates through the use of multiple orbiting satellites.
- Green Spaces:** *See “open spaces”.*
- Growth Management:** the pacing of the rate or controlling of the location of development via law enactment to manage a community’s growth.
- Hamlet:** a predominantly rural, residential settlement that compactly accommodates development.
- Hamlet Lot:** a small residential lot in a contiguous group with adjacent and fronting lots oriented toward each other in some ordered geometric way and forming a boundary with the surrounding countryside.
- Hazardous Substance:** any substance or combination of substances, including solid, semisolid, liquid or gaseous wastes, which may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or which may pose a substantial present or potential hazard to human health or the environment because of its quantity, concentration, or physical, chemical, or infectious characteristics. This term includes irritants, strong sensitizers, explosives, and substances that are toxic, corrosive, or flammable. *See s.292.01( 5), Wis. Stats.*
- Heavy Industry:** the basic processing and manufacturing of products from raw materials; or, a use engaged in the storage or manufacturing processes using flammable or explosive materials or those that potentially involve offensive conditions. *See also “light industry”.*
- Highly Erodible Soils:** soils highly susceptible to erosion as determined by an equation that considers soil type, slope, and amount of rainfall but does not consider current land management or vegetative cover. These soils are often identified in county soil survey books.
- Historic Area:** an area designated by an authority, having buildings or places that are important because of their historical architecture or relationship to a related park or square or because those areas were developed according to a fixed plan based on cultural, historical, or architectural purposes.
- Historic Preservation:** the research, protection, restoration, and rehabilitation of historic properties.
- Historic Property:** a building, structure, object, district, area, or site, whether on or beneath the surface of land or water, that is significant in the history, prehistory, architecture, archaeology, or culture of Wisconsin, its rural and urban communities, or the nation. *See s.44.31( 3), Wis. Stats. See s.13.48( 1m)( a), Wis. Stats .*
- Homeowner’s Association:** a nonprofit organization made up of property owners or residents who are then responsible for costs and upkeep of semiprivate community facilities.
- Home Rule:** constitutional provisions in some states that give local units of government substantial autonomy. Wisconsin is a “strong” home rule state.
- Incorporation:** orderly and uniform development of territory from town to incorporated status. *See ch. 66, subch. II, Wis. Stats.*
- Impact Fees:** cash contributions, contributions of land or interests in land, or any other items of value that are imposed on a developer by a political subdivision to offset the community’s costs resulting from a development. *See s. 66.0617, Wis. Stats.*
- Impervious Surface:** a ground cover such as cement, asphalt, or packed clay or rock through which water cannot penetrate; this leads to increases in the amount and velocity of runoff and corresponds to increases in soil erosion and nutrient transport.
- Improvements:** the actions taken to prepare land, including clearing, building infrastructure such as roads and waterlines, constructing homes or buildings, and adding amenities.
- Incentive Zoning:** the granting of additional development possibilities to a developer because of the developer’s provision of a public benefit.
- Industrial District:** a district designated as manufacturing, research and development, or industrial park.
- Infill:** the development of the last remaining lots in an existing developed area, the new development within an area already served by existing infrastructure and services, or the reuse of already developed, but vacant properties. *See also “redevelopment”.*
- Infrastructure:** public utilities, facilities, and delivery systems such as sewers, streets, curbing, sidewalks, and other public services.
- Installment Sale:** a real estate transaction in which the landowner and the recipient negotiate terms for the property to be transferred over an extended period of time rather than all at once.
- Intermodal Surface Transportation Efficiency Act, 1991 (ISTEA):** a federal transportation act that authorized the first 23 “high priority corridors” of the total 42 authorized by the ISTEA, the National Highway System Designation Act (1995), and the Transportation Equity Act for the 21st Century.
- Intelligent Transportation System (ITS):** a system of technologies, including traveler information systems to inform motorists of weather and road conditions, incident management systems to help emergency crews respond more efficiently to road

incidents, and commercial vehicle operations to increase freight transportation efficiency, intended to relieve state highway congestion.

**Interim Zone of Influence:** a procedure for the exchange of information or resolution of conflicts on certain proposed land- uses between a city or town and the county.

**Interim Zone/ Development Controls:** See “moratorium”.

**Judicial Appeal:** the review of a local zoning decision by the state judicial system.

**Land:** soil, the ground surface itself, a subdivision, a tract or parcel, a lot, an open space, or the physical elements below ground.

**Land Banking:** the obtaining, holding, and subsequent release of lands by a local government for controlled development or conservation.

**Land Exchange:** a transaction where a public agency or nonprofit organization exchanges a land parcel for another land parcel with high conservation value.

**Land use Intensity System (LUI):** a comprehensive system created in the mid- 1960s by the U.S. Federal Housing Administration for determining or controlling the intensity of land development.

**Land use Inventory:** a study, cataloging the types, extent, distribution, and intensity of current and future uses of land in a given area.

**Land use Plan:** the element of a comprehensive plan that designates and justifies the future use or reuse of land. See s.66.1001, Wis. Stats.

**Landfill:** a disposal facility for solid wastes. See ch.289, Wis. Stats.

**Land Trust:** a private, nonprofit organization that protects natural and cultural resources through conservation easements, land acquisition, and education.

**Large- Lot Zoning:** a requirement that each new house be constructed on a minimum number of acres (generally, five or more acres). Developments that feature large- lot zoning may include the dispersal of some impacts, less efficient infrastructure, and greater areas of land use.

**Leapfrog Development:** new development separated from existing development by substantial vacant land.

**Leaseback:** See “purchase/ leaseback”.

**Level of Service (LOS):** a measurement of the quantity and quality of public facilities.

**Light Industry:** the manufacture and distribution of finished products, including processing, fabrication, assembly, treatment, packaging, incidental storage, and sales. See also “heavy industry”.

**Limited Development:** the development of one portion of a property to finance the protection of another portion.

**Lot:** a parcel of land that is occupied or intended for occupancy, including one main building and any accessory buildings, open spaces, or parking spaces. See also “through lot”.

**Lot Area:** the area of a horizontal plane bounded by the vertical planes through front, side, and rear lot lines.

**Lot Averaging:** the design of individual adjoining lots within a residential subdivision where the average lot is the minimum prescribed area for the zoning district.

**Lot- by- Lot Development:** a conventional development approach where each lot is treated as a separate development unit conforming to all land- use, density, and bulk requirements.

**Lot Coverage:** the total when an area of a lot covered by the total projected surface of all buildings, impervious surfaces, or vegetative coverage is divided by the gross area of that lot.

**Lot Depth:** the average horizontal distance between the front and rear lot lines.

**Lot Line:** the property lines at the perimeter of a lot.

**Lot Width:** the distance between side lot lines. This is generally measured at the front setback, but the specific protocol varies between jurisdictions.

**LULU:** a locally unwanted land use. See also “NIMBY,” “NIABY,” and “NIMTOO”.

**Main Street Program:** a comprehensive revitalization program established in 1987 to promote and support the historic and economic redevelopment of traditional business districts in Wisconsin. The Main Street Program is administered by the state Department of Commerce.

**Managed Forest Law:** a law enacted in 1985, replacing the Forest Crop Law and Woodland Tax Law, that exempts DNR approved privately owned forest land from general property taxes but instead requires the owner to pay an annual acreage payment, a state contribution, a yield tax, or a withdrawal penalty. Landowners have the option to choose a 25 or 50 year contract period. Enrollment is open to all private landowners owning ten or more acres of woodlands. Today about 25,000 landowners, owning more than 2.5 million acres, are enrolled in the three existing forest tax laws: Forest Crop Law (FCL), Woodland Tax Law (WTL), and Managed Forest Law (MFL). See ch. 70, Wis. Stats.

**Manufactured Housing:** a structure, containing within it plumbing, heating, air- conditioning, and electrical systems, that is transportable in one or more sections of certain sizes and is built on a permanent chassis, and when connected to the required

utilities, is designed to be used as a dwelling with or without a permanent foundation. Such housing must comply with the standards established under the National Manufactured Housing Construction and Safety Standards Act. *See* 42 USC 5401 to 5425 and ch.409, *Wis. Stats.*

- Map:** a drawing or other representation that portrays the spatial distribution of the geographic, topographic, or other physical features of an area.
- Median age:** The midpoint age that separates the younger half of a population from the older half.
- Metropolitan Statistical Area (MSA):** a statistical area defined by the U.S. Census; a freestanding metropolitan area (i.e. an area with a minimum population of 50,000 and adjacent communities with a high degree of economic and social integration) or a Census Bureau defined urbanized area with a population of 100,000 or greater (75,000 in New England), not closely associated with other metropolitan areas. Nonmetropolitan counties surround these areas typically. *See also* “consolidated metropolitan statistical area” and “primary metropolitan statistical area”.
- Mini- Lot Development:** a development containing lots that do not meet the minimum size or other requirements.
- Mitigation:** the process of compensating for the damages or adverse impacts of a development.
- Mitigation Plan:** imposed development conditions intended to compensate for the adverse impacts of the development.
- Mixed- Use Development:** a development that allows multiple compatible uses to be in close proximity to one another in order to minimize transportation infrastructure impacts and to create a compact, efficient neighborhood; for example, single family, multifamily, commercial, and industrial uses are located within a reasonable proximity to each other.
- Modernization:** the upgrading of existing facilities to increase the input or output, update technology, or lower the unit cost of the operation.
- Moratorium:** a temporary development freeze or restriction pending the adoption or revision of related public policies or provisions of public infrastructures or services.
- Multifamily Dwelling:** a building or portion occupied by three or more families living independently of each other.
- Multimodal Transportation:** an integrated network of various transportation modes, including pedestrian, bicycle, automobile, mass transit, railroads, harbors, and airports.
- Municipality:** a city, village, town, or other unit of local government. The application of this term varies and it often has specific legal meanings.
- National Environmental Policy Act (NEPA):** a congressional act passed in 1969, establishing a national environmental policy. NEPA requires federal agencies to consider the environmental effects of decisions early in their decision- making processes and to inform the public of likely impacts. Environmental impact statements (EISs) are prepared consistent with this law. The act also established the Council on Environmental Quality. *See* P.L. 91- 190, 42 U.S.C. 4321- 4347. *See also* “environmental impact statement” and “Wisconsin Environmental Policy Act (WEPA)”.
- National Register of Historic Places in Wisconsin:** places in Wisconsin that are listed on the national register of historic places maintained by the U.S. Department of the Interior, National Park Service.
- Neighborhood Plan:** a plan that provides specific design or property- use regulations in a particular neighborhood or district.
- Neighborhood Unit:** the model for American suburban development after World War II based around the elementary school with other community facilities located at its center and arterial streets at its perimeter.
- Neotraditional Development:** a land- use approach that promotes neighborhoods with a variety of housing and architectural types, a central gathering point, and interconnecting streets, alleys, and boulevards edged with greenbelts.\* *See also* “New Urbanism” and “smart growth”.
- Net Acre:** an acre of land excluding street rights- of- way\* and other publicly dedicated improvements such as parks, open space, and stormwater detention and retention facilities.
- New Urbanism:** an approach to development that includes the reintegration of components such as housing, employment, retail, and public facilities into compact, pedestrian- friendly neighborhoods linked by mass transit. *See also* “Neotraditional development” and “smart growth”.
- NIABY:** Not in anyone’s backyard. *See also* “LULU,” “NIMBY,” and “NIMTOO”.
- NIMBY:** Not in my backyard. *See also* “LULU,” “NIABY,” and “NIMTOO”.
- NIMTOO:** Not in my term of office. *See also* “LULU,” “NIMBY,” and “NIABY”.
- Nonconforming Activity:** an activity that is not permitted under the zoning regulations or does not conform to off- street parking, loading requirements, or performance standards.
- Nonconforming Building:** any building that does not meet the limitations on building size or location on a lot for its use and district.
- Nonconforming by Dimension:** a building, structure, or parcel of land that is not compliant with the dimensional regulations of the zoning code.
- Nonconforming Lot:** a use or activity which lawfully existed prior to the adoption, revision, or amendment of an ordinance but that fails to conform to the current ordinance.

- Nonconforming Use:** a use (or structure) that lawfully existed prior to the adoption or amendment of an ordinance but that fails to conform to the standards of the current zoning ordinance.
- Noncontributing Building:** a building or structure that does not add to the historic architecture or association or cultural values of the area.
- North American Industry Classification System (NAICS):** a classification system developed by the United States, Canada, and Mexico to provide comparable industrial production statistics collected and published in the three countries. The NAICS replaces the Standard Industrial Classification (SIC) system and provides for increased comparability with the International Standard Industrial Classification (ISIC) system developed and maintained by the United Nations. *See also* “*Standard Industrial Classification (SIC)*”.
- Office Park:** a large tract that has been planned and developed as an integrated facility for a number of separate office buildings and that considers circulation, parking, utilities, and compatibility.
- One-Unit, Attached:** This is a 1-unit structure that has one or more walls extending from ground to roof separating it from adjoining structures. In row houses (sometimes called townhouses), double houses, or houses attached to nonresidential structures, each house is a separate, attached structure if the dividing or common wall goes from ground to roof.
- One-Unit, Detached:** This is a 1-unit structure detached from any other house; that is, with open space on all four sides. Such structures are considered detached even if they have an adjoining shed or garage. A one-family house that contains a business is considered detached as long as the building has open space on all four sides. Mobile homes or trailers to which one or more permanent rooms have been added or built also are included.
- Open Session:** a meeting that is in accordance with Wisconsin’s ‘Open Meetings Law.’ *See* s.19.85- 19.98, *Wis. Stats* .
- Open (Green) Spaces:** a substantially undeveloped area, usually including environmental features such as water areas or recreational facilities. *See also* “*common open spaces*”.
- Ordinance:** a local law; a legislative enactment of a local governing body.
- Orthophoto Quad:** an aerial photograph that has been adjusted, via the correcting of distortions and inaccuracies due to plane tilt, elevation differences, or the curvature of the earth’s surface, to reflect as accurately as possible the actual topography of the earth’s surface.
- Outright Donation:** the donation of land to a unit of government or a qualified charitable land conservation management organization.
- Outright purchase:** the acquisition of land for the benefit of the public.
- Overlay Zone:** an additional land use or zoning requirement that modifies the basic requirements of the underlying designation.
- Parcel:** *See* “*lot*”.
- Pedestrian Friendly:** a development that is primarily accessible to pedestrians rather than automobiles and with an emphasis on street sidewalks rather than parking.
- Performance Standards:** general criteria established to limit the impact of land uses or development. *See also* “*design standards*”.
- Pervious Surface:** a ground cover through which water can penetrate at a rate comparable to that of water through undisturbed soils.
- Planned Unit Development:** land under unified control to be developed in a single development or a programmed series of phases. A planned development includes the provisions, operations, maintenance, facilities, and improvements that will be for the common use of the development districts, but which will not be maintained at general public expense.
- Plan Commission:** an appointed local government commission authorized to make and adopt a master plan, consistent with s.66.1001, *Wis. Stats.*, for the physical development of the city. *See* s.62.23, *Wis. Stats.*
- Plat:** a map of a lot, parcel, subdivision, or development area where the lines of each land division are shown by accurate distances and bearings.
- Point System:** numerical values assigned to a development’s impacts on a community’s resources.
- Political Subdivision:** a city, village, town, county, sanitary district, school district, inland lake protection and rehabilitation district, or other special purpose unit of government.
- Pre-acquisition:** a technique where one organization (usually a private land trust) purchases a property and holds it until another organization (usually a government agency) can allocate the funds to purchase it.
- Preservation:** leaving a resource undisturbed and free from harm or damage. While ‘preservation’ is often used interchangeably with ‘conservation,’ the latter entails a connotation of prudent resource use.
- Primary Metropolitan Statistical Area (PMSA):** a statistical area defined by the U.S. Census; an area within a consolidated metropolitan statistical area consisting of a large urbanized county or cluster of counties that demonstrates very strong internal economic and social links, in addition to close ties to other portions of the larger area. *See also* “*metropolitan statistical area*” and “*consolidated metropolitan statistical area*”.

- Prime Agricultural Land:** land determined by local governments to be important for sustaining agricultural operations and that are often protected from conversion to other uses. *See* ch.91, *Wis. Stats.*
- Prime Farmland:** farmland classified by the Natural Resources Conservation Service as best for the crop production of row, forage, or fiber because of level topography, drainage, moisture supply, soil texture and depth, and susceptibility to erosion and runoff. Ideally, prime farmland allows least cost to both the farmer and the natural resources. *See* ch.91, *Wis. Stats.*
- Principal Building:** the building, including all parts connected, where the primary use of the lot is conducted.
- Private Road:** a way open to traffic, excluding driveways, established as a separate tract for the benefit of adjacent properties.
- Privately Owned Waste- Treatment Systems (POWTS):** sewage treatment and disposal systems, which are also called on- site sanitary systems, that are not connected to sewer lines or wastewater treatment plants.
- Public Dedication:** reserving land in a subdivision for public use such as a school or park.
- Public Road:** public property dedicated and reserved for street traffic.
- Purchase of Development Rights (PDR):** a public or private government initiative that acquires the development rights of property to limit development and protect natural features or open space. *See also* “rights” and “transfer of development rights”.
- Purchase/ Leaseback:** an arrangement where a community purchases a natural area and then either leases it back with special lease restrictions or sells it back with deed restrictions designed to protect the natural features of the property.
- Quarter, Quarter Zoning:** a development standard that limits non-farm development to one house per 40 acres (¼ of ¼ of the original 640- acre section).
- Quasi- Judicial Decisions:** “resembling a court;” quasi- judicial decision making must follow rules of due process and is midway between legislative and administrative functions. Examples of quasi- judicial decisions include variances, appeals, and conditional- use permits.
- Quasi- Public Use/ Facility:** a use conducted or a facility owned or operated by a nonprofit or religious institution that provides public services.
- Rear- lot Line:** a lot line, opposite the front lot line, that generally does not abut a public roadway.
- Redevelopment:** any proposed replacement of existing development. *See also* “infill”.
- Redevelopment Authority:** an authority, known as the “redevelopment authority of the city of [city name],” created in every city with a blighted area. This authority, together with all the necessary or incidental powers, is created to carry out blight elimination, slum clearance, and urban renewal programs and projects as set forth in Wisconsin Statutes. *See* s.66.1333 ( 3)( a) 1, *Wis. Stats.*
- Reforestation:** the planting or replanting of forest plants.
- Regional Plan:** a plan that covers multiple jurisdictions, often within the administrative area of a regional planning commission, and that can be prepared jointly by cooperating municipalities, regional planning commissions, state agencies, or other entities.
- Requests for Proposals (RFP):** a document describing a project or services and soliciting bids for a consultant’s or contractor’s performance.
- Requests for Qualifications (RFQ):** a document describing the general projects, services, and related qualifications of bidding consultants or contractors.
- Reservation of Site:** *See* “public dedication”.
- Reserved Life Estate:** an arrangement where a landowner sells or donates property to another party (for example, a conservation organization) while retaining the right to lifetime use.
- Revolving Fund:** a conservation fund, replenished through donations or selling of the land to another conservation organization or a government agency, used to purchase land or easements.
- Rezoning:** an amendment to a zoning map or zoning ordinance that changes the zoning- district designation and use or development standards.
- Right of First Refusal:** an agreement between a landowner and another party (for example, a land trust) that gives the other party a chance to match any third- party offer to purchase lands.
- Right of Way (ROW):** a strip of land occupied by or intended to be occupied by a street, crosswalk, walkway, utility line, or other access.
- Rights (The Bundle of Rights Concept of Property):** government and private owners each hold portions of the bundle of rights in real property.
- Owner property rights include:
- *Right to Use:* the right to improve, harvest, cultivate, cross over, or not to use.
  - *Right to Lease:* the right to lease for cash or the right to hold a cash, including a share lease or third or fourth lease, a crop share lease, a one year lease, or a perpetual lease.



- *Right of Disposition*: the right to sell, to bequeath, to mortgage, or to establish trusts on all or part of a property.

Government property rights include:

- *Eminent domain*: the right to purchase land for public use
- *Escheat*: the right for the succession in title where there is no known heir
- *Regulation*
- *Taxation*

**Riparian Areas**: the shore area adjacent to a body of water.

**Roadway Setback**: the required or existing minimum distance between a public roadway (measured from the centerline or edge of right-of-way) and the nearest point on a structure.

**Scenic Corridor**: a linear landscape feature that is visually attractive (for example, stream corridors or blufflines).

**Scenic Easement**: an easement\* intended to limit development in order to preserve a view or scenic\* area.

**Seasonal Dwelling**: a dwelling not used for permanent residence or not occupied for more than a certain number of days per year. The standard varies between jurisdictions.

**Secondary Dwelling Unit**: an additional dwelling unit in a freestanding building or above a residential garage and located within or on the same lot as the principal dwelling unit.

**Sense of Place**: the constructed and natural landmarks and social and economic surroundings that cause someone to identify with a particular place or community.

**Set Back**: the minimum distance a building, structure, or activity can be separated from a designated feature such as a waterway or bluffline.

**Shoreland**: a state mandated water resource protection district that Wisconsin counties must adopt.

Shorelands include lands adjacent to navigable waters within 1,000 feet of the ordinary high-water mark of a lake, pond, or flowage and within 300 feet of the ordinary high-water mark or floodplain of a river or stream.

**Shoreland- Wetland**: shorelands that are designated as wetlands on Wisconsin Wetlands Inventory maps. See *Wis. Stats.*

**Shoreline Stabilization**: the placement of structural revetments or landscaping practices to prevent or control shoreline erosion.

**Side Lot Line**: a lot line that is neither a front lot line nor a rear lot line.

**Single- family Attached Dwelling**: one of two or more residential buildings having a common wall separating dwelling units.

**Single- family Detached Dwelling**: a residential building containing not more than one dwelling unit surrounded by open space.

**Sign**: any device that is sufficiently visible to persons not located on the lot that communicates information to them.

**Site Plan**: a scaled plan, which accurately and completely shows the site boundaries, dimensions and locations of all buildings and structures, uses, and principal site development features, proposed for a specific lot.

**Sliding Scale Zoning**: a ratio of dwelling units to land acreage that concentrates development on smaller lots by increasing the minimum lot size for houses built on larger parcels.

**Smart Growth**: an approach to land-use planning and growth management that recognizes connections between development and quality of life. The features that distinguish smart growth approaches vary. In general, smart growth invests time, attention, and resources in restoring community and vitality to center cities and older suburbs. In developing areas, the approach is more town-centered, is transit and pedestrian oriented, and has a greater mix of housing, commercial, and retail uses. Smart-growth approaches preserve open space and other environmental amenities. The term is also used to refer to Wisconsin's comprehensive planning law. See s.66.1001, *Wis. Stats.* See also "*New Urbanism*" and "*Neotraditional development*".

**Special Designation**: the protection of scenic river corridors and other valuable resources through state or federal means such as recognition, acquisition, or technical assistance.

**Special District/ Special Purpose Unit of Government**: a government entity that is responsible for performing specific tasks and oversight essential to a community's or region's well being. Special districts include sanitary districts, metropolitan sewerage districts, drainage districts, inland lake protection and rehabilitation districts, business improvement districts, tax incremental financing districts, architectural conservancy districts, and port authorities.

**Special Exception**: See "*conditional use*".

**Spot Zoning**: a change in the zoning code or area maps that is applicable to no more than a few parcels and generally regarded as undesirable or illegal because it violates equal treatment and sound planning principles.

**Stand**: a number of plants growing in a continuous area. Examples include 'a stand of hardwood' or 'a stand of timber.'

**Standard Industrial Classification/ Standard Industrial Code (SIC)**: an industry classification system to facilitate the collection, tabulation, presentation, and analysis of data relating to establishments and to ensure that data about the U.S. economy published by U.S. statistical agencies are uniform and comparable. See also "*North American Industry Classification System (NAICS)*".

**Statewide Comprehensive Outdoor Recreation Plan (SCORP):** a plan that aims to offer a research base and overall guidance for all providers of Wisconsin’s outdoor recreation, including federal, state, county, city, village, and town governments, resorts and other businesses, and a variety of other public and private organizations. Ideally, SCORP is used in conjunction with other planning documents such as property master plans, community park and open space plans, the State Trails Strategic Plan, six- year development plans, and county and regional planning commission plans.

**Stewardship Program:** a state bonding program established by the Wisconsin Legislature in 1989 and re- authorized in 1999 that provides funds to protect environmentally sensitive areas and to maintain and to increase recreational opportunities across the state.

**Stormwater Detention/ Stormwater Retention:** the storage of stormwater runoff.

**Stormwater Management:** the reduction of the quantity of runoff, which affects flooding, or of pollutants generated at a development site and carried in stormwater.

**Story:** a space in a building between the surface of any floor and the surface of the next above floor or roof.

**Subdivision:** the description (usually by survey) and recording of separate land parcels or lots.

**Summary Abatement:** a legal action taken to suppress the continuation of an offensive land use. *See also* “*tax abatement*”.

**Sustainability:** long- term management of ecosystems intended to meet the needs of present human populations without compromising resource availability for future generations.

**Sustainable Development:** development that meets the needs of the present generation without compromising the needs of future generations.

**Takings:** government actions that violate the Fifth Amendment to the U.S. Constitution, which reads in part, “nor shall private property be taken for public use, without just compensation.” Such actions include regulations that have the effect of “taking” property. The Supreme Court has established four clear rules that identify situations that amount to a taking and one clear rule that defines situations that do not.

The court has found “takings” in the following circumstances:

- *where a landowner has been denied “all economically viable use” of the land;*
- *where a regulation forced a landowner to allow someone else to enter onto the property;*
- *where the regulation imposes burdens or costs on a landowner that do not bear a “reasonable relationship” to the impacts of the project on the community; and*
- *where government can equally accomplish a valid public purpose through regulation or through a requirement of dedicating property, government should use the less intrusive regulation, for example, prohibiting development in a floodplain property.*

The Supreme Court has also said that where a regulation is intended merely to prevent a nuisance, it should *not* be considered a taking.

**Tax Abatement:** a release of a certain tax liability for a specific period of time and under certain circumstances. *See also* “*summary abatement*”.

**Tax Increment:** additional tax revenue resulting from a property- value increase; the amount obtained by multiplying the total of all property taxes levied on all taxable property within a tax- incremental district in a year by a fraction having as a numerator the value increment for that year in the district and as a denominator that year’s equalized value of all taxable property in the district. In any year, a tax increment is “positive” if the value increment is positive and “negative” if the value increment is negative. *See* s.66.1105, *Wis. Stats.*

**Tax Increment Financing (TIF):** a local governmental financing of private- sector redevelopment, anticipating the additional revenues of the tax increment.\* *See* s.66.1105, *Wis. Stats.*

**Town:** the political unit of government; a body corporate and politic, with those powers granted by law. *See* ch. 60, *Wis. Stats.*

**Township:** all land areas in a county not incorporated into municipalities (cities and villages).

**Tract:** an indefinite stretch or bounded piece of land; in subdivisions, a tract is often divided into individual lots.

**Traditional Neighborhood:** a compact, mixed- use neighborhood where residential, commercial, and civic buildings are within a close proximity. *See also* “*Neotraditional development*” and “*New Urbanism*”.

**Traffic Calming:** the process of increasing pedestrian safety via decreasing automobile speed and volume.

**Traffic Impact Analysis:** an analysis of the impacts of traffic generated by a development.

**Traffic Impact Mitigation Measure:** an improvement by a developer intended to reduce the traffic impact created by a development.

**Transfer of Development Rights:** a technique, involving the designation of development (receiving) zones and protected (sending) zones, for guiding growth away from sensitive resources and toward controlled development centers by transferring development rights from one area to another via local law authorization such as a deed or easement. *See also* “*rights*” and “*purchase of development rights*”.

- Transit- Oriented Development (TOD):** moderate or high- density housing concentrated in mixed- use developments\* that encourages the use of public transportation.
- Transitional Use:** a permitted use or structure that inherently acts as a transition or buffer between two or more incompatible uses.
- TRANSLINKS 21:** a statewide transportation system plan prepared by the Wisconsin Department of Transportation in response to federal and state laws.
- Transportation Demand Management (TDM):** a strategy that alleviates roadway stress by reducing vehicle density via the increasing of passengers per vehicle.
- Transportation enhancements (ISTEA & TEA- 21):** funds contributed by the federal highway transportation program to enhance cultural, aesthetic, and environmental aspects of local transportation and transit systems.
- Underlying Zoning District:** a term referring to a zoning district when it is affected by an overly district.
- Undevelopable:** an area that cannot be developed due to topographic or geologic soil conditions.
- Unified Development Code:** the combining of development regulations into a single zoning code.
- Universal Transverse Mercator Grid (UTM):** a civilian grid system, which uses only numbers and can be handled by digital mapping software and Geographic Information Systems.
- Unnecessary Hardship:** a unique and extreme inability to conform to zoning ordinance provisions due to physical factors; and, one of three tests a property must meet in order to qualify for a zoning variance.
- Up Zoning:** changing the zoning designation of an area to allow higher densities or less restrictive use. *See also “down zoning”.*
- Urban Area:** the area within a municipal boundary that is serviced by infrastructure; an intensively developed area with a relatively large or dense population.
- Urban Forest:** all trees and associated vegetation in and around a city, village, or concentrated development.
- Urban Growth Area:** an area designated for urban development and usually designed to protect open space or resources beyond its boundaries.
- Urban Growth Boundary:** the perimeter of an urban growth area.
- Urban Sprawl:** low- density, automobile- dependent, and land- consumptive outward growth of a city; the spread of urban congestion and development into suburban and rural areas adjoining urban areas.
- Utility Facilities:** any above ground structures or facilities used for production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals.
- Variance:** a relaxation of dimensional standards by a local zoning board in compliance with statutory criteria. *See s.59.99( 7 ), Wis. Stats.*
- Vehicle Miles Traveled (VMT):** a measure of automobile and roadway use.
- Village:** an incorporated area with a population under 5,000. *See ch. 61, Wis. Stats.*
- Watershed:** the area where precipitation drains to a single body of water such as a river, wetland, or lake.
- Wellhead Protection:** a plan to determine the water collecting area for a public well, identify the pollution sources within that area, and detect, prevent, and remedy potential contamination to the collecting area.
- Wetlands Inventory Map:** a map of wetlands classified according to their vegetation, hydrology, and types of human influence, developed by the Wisconsin Department of Natural Resources, used to identify wetlands for protection.
- Wetlands Reserve Program:** a federal program with state partnering to restore the functions and values of wetlands and to preserve riparian areas through conservation easements and wetland reconstruction.
- Wildlife Habitat Incentives Program:** a program that awards landowners federal cost- sharing funds after the installation of improvements to wildlife or fishery habitat.
- Wisconsin Administrative Code (Wis. Admin. Code):** a component of state law that is a compilation of the rules made by state agencies having rule- making authority. These rules provide the detailed provisions necessary to implement the general policies of specific state statutes
- Wisconsin Environmental Policy Act (WEPA):** a state law establishing a state environmental policy. WEPA requires state agencies to consider the environmental effects of decisions early in their decision-making processes and to inform the public of likely impacts and alternatives that were considered. Environmental impact statements (EISs) are prepared consistent with this law. *See also “environmental impact statement” and “National Environmental Policy Act (NEPA)”.* *See NR 150, Wis. Admin. Code, and s.1.11, Wis. Stats.*
- Wisconsin Initiative for Statewide Cooperation on Landscape Analysis and Data (WISCLAND):** a partnership between government agencies, private companies, and nonprofit groups to collect, analyze, and distribute landscape information.
- Wisconsin Register of Historic Places:** a listing of districts, sites, buildings, structures, and objects that are significant in national, state, or local history, architecture, archaeology, engineering and culture. The Wisconsin register of Historic Places is maintained by the Wisconsin State Historical Society. *See s. 44.36, Wis. Stats.*

**Woodland Tax Law:** a law enacted in 1954 that extended land eligibility of the Forest Crop Law to owners of small forest parcels. Entries into the WTL closed as of 1 January 1986 with enactment of the Managed Forest Law. Today about 25,000 landowners, owning more than 2.5 million acres, are enrolled in the three existing forest tax laws: Forest Crop Law, Woodland Tax Law, and Managed Forest Law. *See* ch. 70, *Wis. Stats.*

**Zero Lot Line:** the location of a building in such a manner that one or more of its sides rests directly on its lot line.

**Zone:** an area designated by an ordinance where specified uses are permitted and development standards are required.

**Zoning Inspector:** an appointed position to administer and enforce zoning regulations and related ordinances.

**Zoning Permit:** a permit issued by the land- use or zoning administrator authorizing the recipient to use property in accordance with zoning- code requirements.

Source: *Land-Use Lingo: A Glossary of Land-Use Terms*, WDNR, 2001.

Note: All references are to 1999-2000 Wisconsin Statutes.

# *Bay-Lake Regional Planning Commission*

## Commission Members

### ***Brown County***

William Clancy  
Toni M. Loch  
Chris Swan

### ***Door County***

Paul DeWitt  
Mariah K. Goode  
*Nomination Pending*

### ***Florence County***

Edwin Kelley  
Bruce Osterberg  
Yvonne Van Pembrook

### ***Kewaunee County***

Jim Abrahamson  
Mary Hanrahan  
Charles R. Wagner, Vice-Chairperson

### ***Manitowoc County***

Donald C. Markwardt  
Valerie Mellon  
NyaLong Yang

### ***Marinette County***

Alice Baumgarten  
Cheryl R. Maxwell, Chairperson  
Mary G. Meyer

### ***Oconto County***

Donald A. Glynn  
Thomas D. Kussow  
Lois L. Trever, Sect./Tres.

### ***Sheboygan County***

Mike Hotz  
Ron McDonald  
Ed Procek

### ***Wisconsin Department of Commerce***

Sec., Richard Leinenkugel

## Staff

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