

## CHAPTER 8, AGRICULTURAL, NATURAL, AND CULTURAL RESOURCES ELEMENT

For the Agricultural, Natural, and Cultural Resources Element of the Comprehensive Plan, Wisconsin comprehensive planning legislation requires the following:

- *A compilation of objectives, policies, goals, maps and programs for the conservation, and promotion of the effective management, of natural resources such as groundwater, forests, productive agricultural areas, environmentally sensitive areas, threatened and endangered species, stream corridors, surface water, floodplains, wetlands, wildlife habitat, metallic and nonmetallic mineral resources consistent with zoning limitations under Wisconsin Statutes 295.20(2), parks, open spaces, historical and cultural resources, community design, recreational resources and other natural resources.*

This section has been divided into three sections to address each of these resource categories on an individual basis.

The sections and page numbers for this chapter are shown below:

Agricultural Resources	Natural Resources	Cultural Resources
<ul style="list-style-type: none"> <li>• Agricultural Resources Vision (p.168)</li> <li>• Agricultural Resources Inventory and Analysis (p.168)</li> <li>• Productive Agricultural Areas (p.169) <ul style="list-style-type: none"> <li>* Farmland Preservation Areas (p.169)</li> <li>* Soil Survey Maps (p.170)</li> </ul> </li> <li>• Agricultural Resources Goals, Objectives, and Actions (p.170)</li> <li>• Agricultural Resources Tools and Programs (p.170)</li> </ul>	<ul style="list-style-type: none"> <li>• Natural Resources Vision (p.172)</li> <li>• Natural Resources Inventory (p.172) <ul style="list-style-type: none"> <li>* Watersheds (p.172)</li> <li>* Navigable Waters (p.174)</li> <li>* Shorelines and Shorelands (p.174)</li> <li>* Wetlands and Floodplains (p.175)</li> <li>* Groundwater and Drinking Water (p.175)</li> <li>* Woodlands and Trees (p.176)</li> <li>* Environmentally Sensitive Areas Map (p.176)</li> <li>* Wildlife Resources (p.178)</li> <li>* Scenic Resources (p.178)</li> <li>* Metallic and Nonmetallic Mining Resources (p.179)</li> <li>* Parks and Recreational Facilities (p.180)</li> <li>* Air Quality (p.181)</li> </ul> </li> <li>• Natural Resources Goals, Objectives, and Actions (p.82)</li> <li>• Natural Resources Tools and Programs (p.184)</li> </ul>	<ul style="list-style-type: none"> <li>• Cultural Resources Vision (p.185)</li> <li>• Cultural Resources Inventory (p.185) <ul style="list-style-type: none"> <li>* Historic Districts (p.185)</li> <li>* National Register Properties Located Outside Historic Districts (p.186)</li> <li>* Historic District Map (p.187)</li> <li>* Historic and Cultural Resources Owned/Operated by the City (p.188)</li> <li>* Historical and Cultural Recreational Connections to the River and Lake System (p.189)</li> <li>* Cultural Tourism Program (p.190)</li> <li>* Oshkosh Convention and Visitors Bureau (p.190)</li> <li>* Preserving the City's Memory (p.190)</li> </ul> </li> <li>• Community Design (p.191) <ul style="list-style-type: none"> <li>* Downtown Design Guidelines (p.191)</li> <li>* Infill Development Guidelines (p.191)</li> <li>* Overlay Zone Districts (p.192)</li> </ul> </li> <li>• Cultural Resources Goals, Objectives, and Actions (p.193)</li> <li>• Cultural Resources Tools and Programs (p.195)</li> <li>• Coordination with Other Plan Elements (p.197)</li> </ul>

## Agricultural Resources Vision

Oshkosh will have community gardens and other community-supported agricultural activities, such as farmer's markets and harvest programs.

## Agricultural Resources Inventory and Analysis

While the city recognizes the importance of the agricultural sector of the state and global economies, relatively few acres are dedicated to agricultural uses within the city limits. Approximately 720 acres of the city is in agricultural use. This includes cropland, fallow land, forest, and farmsteads. Typically, agricultural uses in the city are temporary uses prior to being developed in the city. Annexation of the agricultural lands is the first step in the development process in order to ensure utilities and infrastructure service. In 2002, the effective tax rate for agricultural land in the city was \$22.52 dollars per \$1,000 in assessed value. The tax rates for adjoining towns range from \$16.37 in the Town of Nekimi to \$17.32 in the Town of Algoma; therefore, without pressure or incentive to develop, the agricultural land owners typically do not request annexation into the city because of a lower tax rate in the towns and a lower need for services.

There is an increased pressure on owners of agricultural lands on the periphery of any city. The table below shows the difference between agricultural land sold for continuing agricultural use and agricultural land sold for diversion to other uses in Winnebago County. The table below shows the difference in dollars per acre for land sold from 1998 through 2002. The difference in dollars paid per acre between the two categories range from \$218 in 2001 to \$3,125 in 1998. The table also shows that with the exception of the year 2001, acreage sold has been more for continuing agricultural use, indicating that farming and agriculture are still have a strong presence in Winnebago County.

Table 8-1. Agricultural Land Sales, Winnebago County	Agricultural Land Continuing in Agricultural Use		Agricultural Land Being Diverted to Other Uses	
	Acres Sold	Dollars per Acre	Acres Sold	Dollars per Acre
2002	442	\$3,413	306	\$6,440
2001	651	\$2,733	887	\$2,951
2000	1,483	\$2,423	353	\$4,878
1999	1,621	\$2,747	550	\$3,075
1998	1,504	\$1,931	605	\$5,056

Source: U.S. Department of Agriculture, National Agricultural Statistics Service

Although the city does not have a significant amount of agricultural land, the city does have agriculturally-related activities including a community garden and farmer's markets. The community garden is located at 4300 Sherman Road. The Winnebago County UW-Extension office partners with ADVOCAP, the Wisconsin Department of Corrections, the Land and Water Conservation office, and the Natural Resources Conservation Service to provide land, design services, and educational programs for the users of the community garden.

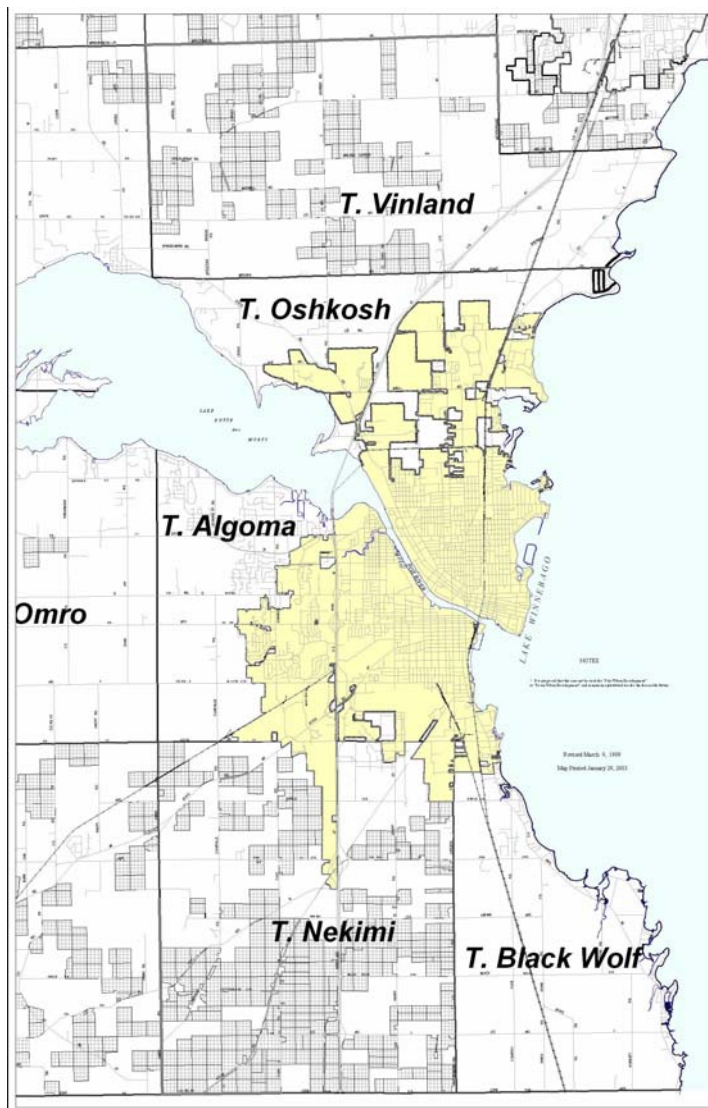
Farmer's markets are held during the summer and early fall and have been organized by various groups in the community. These markets are in a variety of locations at different times and it may be more beneficial to the vendors and the customers to have better coordination for site selection and marketing and promotions efforts.

## Productive Agricultural Areas

### *Farmland Preservation Areas*

One indicator of productive agricultural areas is the amount of property enrolled in the Farmland Preservation Program. The goals of the Program are to preserve farmland by means of local land use planning and soil conservation practices and to provide property tax relief to farmland owners. To qualify for the credit, the farm must be 35 acres or more and zoned for exclusive agricultural use or be subject to a preservation agreement between the farmland owner and the state. For the 2002 Property Tax Year, 30,674 acres were claimed by 166 Winnebago County participants in this tax credit program.

The shaded squares in the map below represent the farmland preservation program lands near the city. The Town of Algoma, Town of Black Wolf and Town of Oshkosh do not have any lands in the farmland preservation programs. The Town of Nekimi has the highest concentration of these lands, with several acres near the city limits in these preservation programs.



## *Soil Survey Maps*

A soil survey of Winnebago County was conducted in the late 1970s by the U.S. Department of Agriculture Soil Conservation Service. Several soil types exist within the city and these soil types play a role in agricultural production, tendencies for soil erosion, and building development. The soils map and additional information are included in Appendix D.

## **Agricultural Resources Goals, Objectives, and Actions**

One goal and one objective related to agricultural resources were identified. Progress on these actions will be used to measure progress toward achievement of the goals of this Element.

### **Goal A: Promote the development of urban agricultural programs and activities.**

Objective: Support agricultural opportunities for the community.

Actions: Identify additional community garden sites.

Improve and maintain farmer's market programs.

Explore options for community-based agricultural harvest programs.

Revise Zoning Ordinance to address:

- a. Community gardens as permitted land uses.
- b. Permitted and Conditional Uses in the agricultural zone districts.

## **Agricultural Resources Tools and Programs**

Below is a list of tools and programs designed to benefit and enhance the agricultural economy and protect the relationship between agricultural land uses and other land uses.

### *Local and State Tools and Programs*

Zoning Ordinance – The Zoning Ordinance establishes the permitted and conditional uses for all zoning districts in the city. Two zoning districts relate directly to agricultural uses – A1-“Light Agricultural District” and A2-“General Agricultural District”. The Zoning Ordinance should be reviewed to ensure regulations are not prohibiting any agricultural-related uses that are appropriate to urban settings. The Ordinance can also be reviewed regarding activities such as community gardens and farmer's markets.

Right to Farm Law – In 1995, Wisconsin adopted a right-to-farm law, which addresses conflicts between agricultural and other land uses. Section 823.08 of the Wisconsin State Statutes addresses situations where an agricultural use may or may not be found to be a nuisance to adjoining property owners. This law was established to mitigate circumstances for adjoining neighbors who complain and find agricultural uses a hindrance to the enjoyment of their own property, mainly because of noise and odors.

Purchase of Agricultural Conservation Easements – One common approach to compensating land owners for voluntarily giving up their rights to develop their farmland is to purchase a conservation easement from the land owner. Doing so limits the land's future development potential, but allows the land owner to continue farming the land. Easements can be established for a certain time period or in perpetuity. To receive tax benefits, the easement must be in perpetuity. The purchase of the easements allows for funds to be given to the current land owner and reduces the costs of farmland for future farmers by protecting the land in its agricultural classification.

Northeast Wisconsin Land Trust (NEWLT) – Formed in 1996, the NEWLT aims to preserve and restore the natural heritage of Northeast Wisconsin lands and waters through partnerships in land conservancy and resource management. The Trust receives its financial support from citizen contributions and grants from the public and private sectors. The NEWLT evaluates property on whether it aids in the conservation of stream corridors, woodlands, and wetlands; its vitality to the maintenance of surface and groundwater quality; if it contains unique characteristics of the region, and if it will balance the public benefits with the preservation of ecological integrity. The NEWLT currently owns one site (39 acres) and has conservation easements on seven other sites (893 acres); however, none of these sites are located in Winnebago County.

Urban Green Space Program – This program is offered through Wisconsin Department of Natural Resources to provide open natural space within or in proximity to urban areas; to protect from urban development areas that have scenic, ecological or other natural value and are within or in proximity to urban areas; and to provide land for noncommercial gardening for the residents of an urbanized area.

Acquisition of Development Rights Program – Also offered through the Wisconsin Department of Natural Resources, this program aims to protect natural, agricultural, or forest lands that enhance nature-based outdoor recreation. "Development Rights" are the rights of a landowner to develop their property to the greatest extent allowed under state and local laws. The goals of the program are achieved through the purchase of those development rights and compensating landowners for limited future development on their land. Ten percent of the funds available in the Local Assistance Program are allocated to this program.

Conservation Reserve Program – The Conservation Reserve Program (CRP) is a voluntary program for agricultural landowners, where the landowners can receive annual rental payments and cost-share assistance to establish long-term, resource conserving covers on eligible farmland. Annual rental payments are based on the agriculture rental value of the land, and the program provides cost-share assistance for up to 50 percent of the participant's costs in establishing approved conservation practices. Participants enroll in CRP contracts for 10 to 15 years.

An offspring of the Conservation Reserve Program (CRP), the Conservation Reserve Enhancement Program (CREP) is another voluntary program for agricultural landowners. Unique state and federal partnerships allow the landowner to receive incentive payments for installing specific conservation practices, such as stream-side vegetative buffers, grassed waterways, and wetland restoration.

## Natural Resources Vision

Oshkosh will protect the city's natural and environmentally sensitive resources. We will work cooperatively with other local units of government and agencies to protect these resources. The community will be educated on the value of these resources.

## Natural Resources Inventory

In the community survey conducted as part of the preparation of this Plan, respondents identified our water resources as the most important asset to the city. Protection of both the quantity and quality of water is critical for health, business, and recreational opportunities. Following is a general inventory of the city's natural resources.

### *Watersheds*

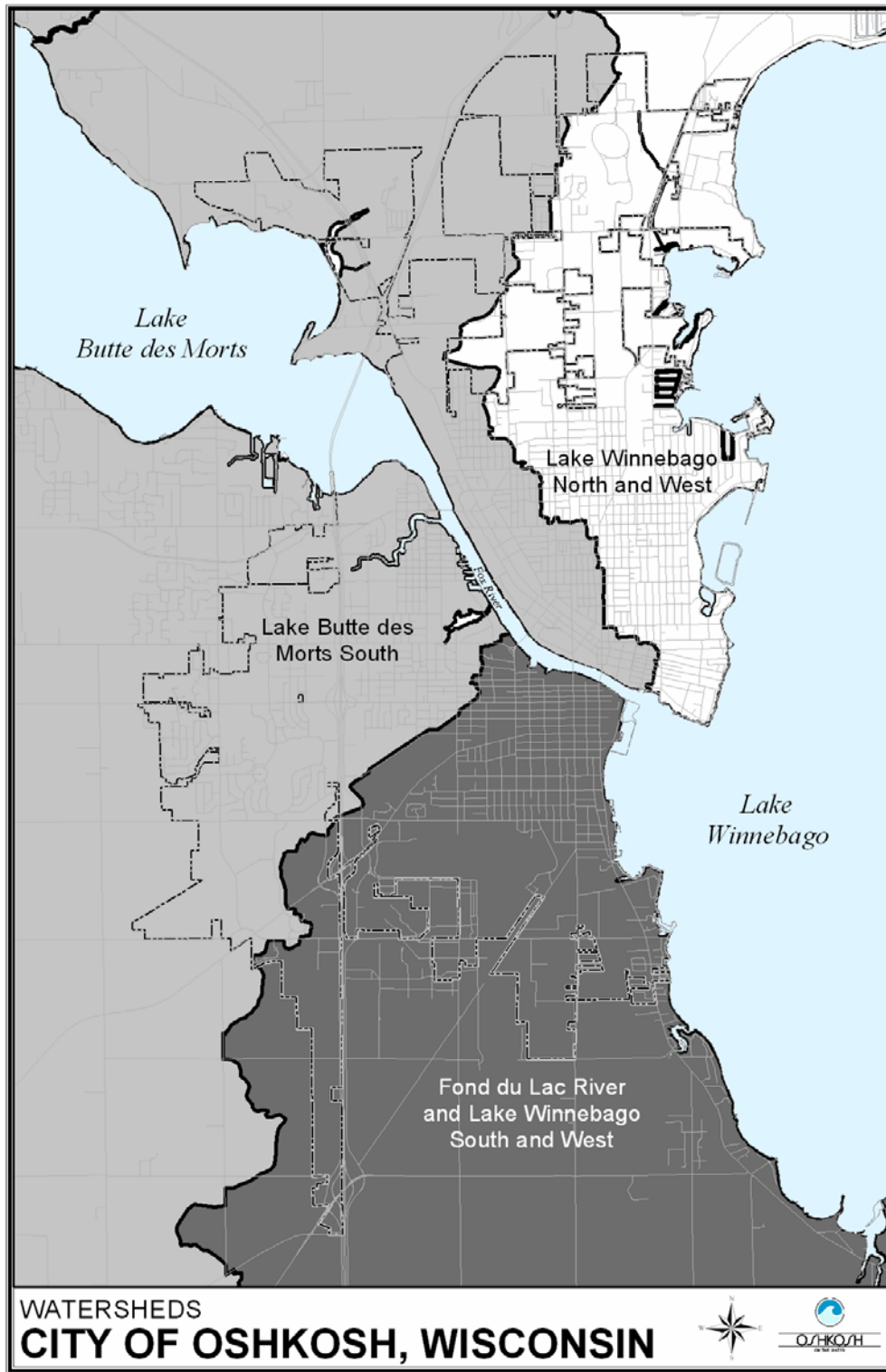
A watershed is an area of land that drains its surface runoff to a river or lake. The city is within the larger Upper Fox River Basin and is distributed among three major watersheds – the Lake Winnebago West Watershed, the Fond du Lac River Watershed, and the Lake Butte des Morts South Watershed. The Upper Fox River Basin encompasses over 2,090 square miles and 15 watersheds. It includes portions of Winnebago, Green Lake, Columbia, Fond du Lac, Waushara, Calumet, and Adams Counties and all of Marquette County. In addition to these watersheds draining into the Fox River is the Wolf River Basin which contributes an area of about 3,700 square miles to water flowing through Oshkosh. Oshkosh and Lake Winnebago are located at the lower end of the basin; therefore, major land use decisions in the upper portion of the basin could have an impact on natural resources in the city. Because the city relies on Lake Winnebago for drinking water, it is important that the city participate in major land use decisions within the basin boundaries, such as siting new landfills or new mining operations or other projects that address non-point source pollution.

The following watershed information is from the Winnebago County Land and Water Resource Management Plan, as prepared by the Winnebago County Land and Water Conservation Department in 1998.

The northeast portion of Oshkosh, from the Fox River north past the city limits into the southern portion of the City of Neenah, is the **Lake Winnebago North and West Watershed**. This watershed is 10,105 acres in size, with over 60 percent being of an urban and developed land use.

The **Fond du Lac River and Lake Winnebago South and West Watershed** extends from the Fox River south into Fond du Lac County. The watershed drains approximately 160,000 acres, of which 134,000 acres are in Fond du Lac County and 26,000 acres are in Winnebago County. This watershed was identified as a *Priority Watershed* in 1995 by the Wisconsin Department of Natural Resources. The Priority Watershed Program provides financial assistance to local units of government in selected watersheds to address land management activities which contribute to urban and rural runoff. Priority watershed goals focus on water quality improvements or protection resulting from reductions in pollutant levels delivered to streams, rivers, and lakes. Comprised of mostly agricultural uses, survey results for a watershed management plan showed sediment and nutrient runoff from agricultural fields was the most significant source of non-point pollution. With the use of conservation tillage and other best management practices, reductions in sediment and phosphorous runoff are already showing results.

The third watershed in Oshkosh is the **Lake Butte des Morts South Watershed**. It includes land west of Highway 41 and some portion of the city east of the highway, along the Fox River. This watershed totals 80,240 acres and the majority of land is cropland.



The total land area draining through Oshkosh can be calculated by adding the Wolf River Basin and Upper Fox River Basin together, minus the drainage area of the "Lake Winnebago North and West watershed" and the "Fond du Lac River and L. Winnebago South and West watershed", which discharge directly to Lake Winnebago.

Total drainage area  
= 5,424 sq. mi. or  
3,471,360 acres.

In 1989, the Wisconsin Department of Natural Resources (WDNR) prepared a plan, "Management of the Lake Winnebago System", to develop and implement a long range plan that would integrate DNR programs with the program of other agencies and identify management needs for the Lake Winnebago System. This System includes Lakes Winnebago, Butte des Morts, Winneconne, Poygan, and Fox and Wolf Rivers. When applicable, the city should participate in the implementation process and in any future updates to this Plan. This includes utilizing management activities that increase quality fish and wildlife habitats, reducing non-point pollution, and monitor groundwater quality.

Beginning steps towards better coordination of agencies and organizations relating to the Lake Winnebago System have been made recently with a local grant from the Great Lakes Protection Fund. Funds from this grant will be awarded for water quality improvement projects for the Lake Winnebago System. Organizations have gathered to coordinate efforts and identify some long-term goals for large watershed.

### *Navigable Waters*

Navigable waters are waterways that have a defined bed and bank and enough water to regularly support the smallest recreational watercraft on an annual recurring basis. The WDNR has authority to issue permits affecting these navigable waters, such as constructing bridges and dredging for public and private sector projects. Examples of some of the navigable waters in the city include Lake Winnebago, Fox River, Sawyer Creek, and Glatz Creek.

Of the navigable waters, Lake Winnebago and the Fox River are the most heavily traveled. The city has established slow-no-wake zones on portions of the Fox River and Miller's Bay. Slow-no-wake zones are defined in Chapter 30 of the Municipal Code. These zones are established to improve the safety on the waterways and lessen shoreline erosion from increased wave action. Slow-no-wake zones are primarily enforced by the Winnebago County Sheriff's Department.

As properties along the Fox River are redeveloped, the extent of slow-no-wake zones may need to be reevaluated because new long-term and transient docking facilities are proposed along the river, which may affect the need for lengthened slow-no-wake zones.

Another way to address shoreline erosion would be to work cooperatively with the Winnebago County Land and Water Conservation Department and the Department of Natural Resources to conduct a survey of the city's shoreline and then implement recommendations addressing erosion issues.

### *Shorelines and Shorelands*

The city has 22 miles of shoreline along Lake Winnebago, the Fox River, and Lake Butte des Morts. Shorelines along these three bodies of water are mostly developed at urban densities, in addition to some parkland.

Depending on when property was annexed into the city, shorelands are regulated by different agencies. Winnebago County has a Shoreland Zoning District that serves as an overlay district for property within 1,000 feet of the ordinary high water mark of a lake or within 300 feet from the ordinary high water mark of a river or stream or to the landward side of the floodplain, whichever distance is greater.

However, these County zoning regulations only apply to property in the city that was annexed after May 7, 1982. Property in the city prior to this date is subject to regulations in the city's Zoning Ordinance. The city may want to consider adoption of a shoreline overlay zoning district in an effort to keep regulations consistent between the requirements of the County and those of the city. The city may also want to incorporate regulations based on the urban setting of our water system.

The city also enforces a Lakeshore Overlay Zoning District. Currently property in this district is on the south side of the city, along Stoney Beach Road. This District applies primarily to residential uses and standards as they relate to the irregular composition of parcels and ownership relationships. As additional land is annexed into the city that fits these characteristics, the land should be assigned as a Lakeshore Overlay District with the residential zoning district.

### *Wetlands and Floodplains*

Because of its location, the city has an abundance of shoreline, floodplains and other environmentally sensitive features. Over 1,500 acres are identified as either in the floodway, the 100-year floodplain, or the 500-year floodplain.

Wetlands within the city total 320 acres and are for the most part along Sawyer Creek and Lake Winnebago. The map page 177 shows these environmentally sensitive areas.

### *Groundwater and Drinking Water*

Drinking water is supplied to the city from Lake Winnebago. The surface water is treated at the water filtration plant and then distributed to city residents. (More information regarding this system can be found in the Utilities and Community Facilities Element.)

Since 1993, the city has been involved in a private well abandonment/permit program. This program protects the groundwater by requiring proper abandonment or permitting of private wells located on any premises served by the municipal water system. Unused and improperly abandoned wells are a significant threat to ground water quality. If not properly sealed, these wells can provide a direct conduit to channel contaminated surface or soil water into the groundwater. The permit program allows individuals to keep their well, provided it is structurally compliant, produces bacteriologically safe water, and has no cross connections with the municipal water system.

These wells access underground aquifers for the water supply. Aquifers are not only important to the wells, but as water moves through the aquifers, it discharges into our lakes, rivers, and wetlands. Therefore, both the quantity and the quality of aquifers are critical to the city for drinking and recreational purposes.

The city can continue protecting groundwater and surface water with the management of environmentally contaminated properties along the Fox River corridor. In redevelopment projects such as the Marion Road Redevelopment Area, the South Shore Redevelopment Area, and Riverside Park, the city has been able to conduct environmental testing and assessment to determine any levels of environmental contamination. After those determinations, the soils can be removed or a barrier cap can be constructed to prevent the filtration of water through the contaminated soils and thus further filtration into the river and lake system.

To address concerns about water quality, in April 2003, the Oshkosh Area Community Foundation hosted a three-day workshop focusing on the Winnebago Lake system (Winnebago, Butte des Morts, Winneconne, and Poygan) and the problems associated with the water system. Workshop participants included lake associations, governmental agencies, the WDNR, and area conservation and civic groups. As a result of the workshop, a committee was formed to examine the options of creating a Winnebago Lakes council that would deal with the problems concerning the Lake system. Because of the city's location in this Lake system, participation in this water quality initiative for a lake council has been identified as an action to pursue during the implementation of this Plan.

### *Woodlands and Trees*

Over 190 acres of woodlands exist within the city's boundaries. These woodland sites are identified on the Environmentally Sensitive Areas map on page 177. Due to the limited amount of remaining woodlands, the city can play a role in the protection of this resource, not only recognizing the environmental value of the resource, but the historical role of woodlands and lumber both in the city and in the state. Woodlands can be protected from development and clearance with tools such as tree retention requirements, easements, and cluster developments, which still allow for the surrounding property to be developed but avoids the destruction of this resource.

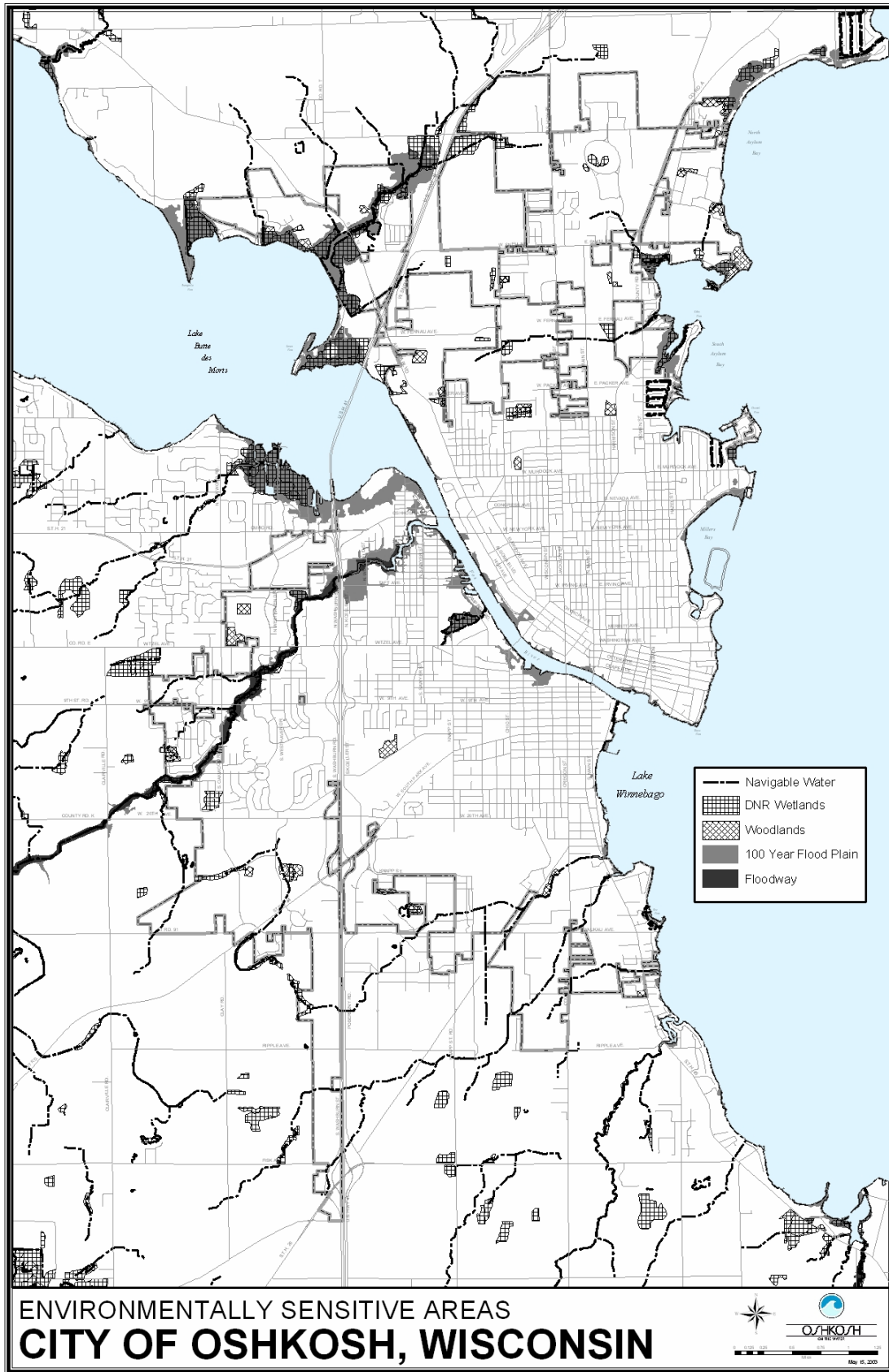
In addition to woodlands, the city values the planting of trees throughout the city. The city is a member of the national "Tree City, USA" program and has continuously met the program requirements for over 20 years.

Trees provide both environmental and economic benefits to the community. For example, trees filter and absorb storm water which would otherwise flow into the storm sewer system and ultimately the waterways. Reducing runoff reduces the need for expanded storm water sewer capacity and the size of detention ponds. The beneficial relationship between trees and stormwater could be recognized in a future stormwater ordinance. Another example of the benefits of trees is how they can extend the useful life of asphalt streets and parking lots by shading them from ultraviolet radiation.

The city will continue to explore options for partnerships in promoting the planting of trees and revise where necessary the landscaping and vegetation requirements of Chapter 26 of the Municipal Code "Trees and Vegetation".

### *Environmentally Sensitive Areas Map*

The following map identifies publicly and privately owned land classified as wetlands, woodlands, floodplain, and floodway and navigable waters, which comprise the city's environmentally sensitive areas.



## *Wildlife Resources*

Patterns and density of development can affect the quantity and quality of wildlife habitat. Wildlife migrates within wildlife corridors – waterways, woodlands, and floodplains – to access food, water, and shelter. The division, or fragmentation, of these wildlife corridors can disrupt wildlife habitats and natural behavior patterns. Fragmentation can be prevented with the use of well-connected open spaces, the dedication of natural easements, or cluster developments that direct development and human activity away from wildlife corridors. It is important to find a balance between protecting wildlife habitat and preventing damage to the human/built environment by these species.

Wildlife resources also include the threatened and endangered species identified by the WDNR to the township level in the Natural Heritage Inventory (NHI) and maintained by the Bureau of Endangered Resources. Species identified in and near the city include Blanding's Turtle, Lake Sturgeon, Banded Killfish, and White Lady's Slipper. The precise location of these species is not identified in order to prevent the collection and destruction of these resources.

The NHI program is responsible for maintaining data on the locations and status of rare species, natural communities, and natural features throughout the state. Information provided includes fact sheets about the species, the number of records for that specific species, and whether the species is threatened or endangered on the federal or state levels. The information is gathered through DNR's Natural Heritage Inventory and is continually updated. The city supports the protection of these aquatic and terrestrial species and communities identified in the NHI recognizing a need to maintain a diversity of plant and animal life and will work with the DNR to identify and protect these species and communities.

## *Scenic Resources*

Opportunities exist to improve the visual quality of the entry corridors into the city and within the city. While visual quality is oftentimes a subjective topic, the city can adopt regulations that improve its aesthetic quality. This could be in the form of on- and off-premise billboard and sign regulations, outdoor lighting guidelines, landscaping ordinances, or the purchase of scenic easements. Specific areas can be identified where efforts could be taken to encourage and provide technical support for improvements to the corridor.

Citywide approaches can be pursued to improve our city's beauty as a whole, such as partnerships to purchase and plant trees or the burial of above ground utilities. Efforts can also be taken to screen land uses adjacent to any of the city's parks to protect the beauty of the park, preferably with natural landscaping to keep in harmony with the character of the park.

After completion of the 1993 Comprehensive Plan, the Highway 41 Corridor Improvement Plan was prepared. The Corridor Improvement Plan identified and prioritized long- and short-range improvement projects to improve the safety and efficiency of the frontage road system and to improve the aesthetics and visual character of the corridor. Revisions the Corridor Improvement Plan could include increased landscaping requirements for parking lots, a reduction of parking space requirements, and reduction of the size of signage.

Off-site advertisements, also known as billboards, were identified as a major issue, in the Comprehensive Plan. Oshkosh has fifty billboards and the city prohibited any new construction in 1987. In 2002, the assessed value of those 50 billboards was \$65,000, therefore taxes generated from the billboards totaled less than \$2,000. The aesthetic quality of the highway corridor has been identified as an area in need of aesthetic improvement. Billboards do not exist only on the highway corridor however, they also exist in the central city area and on other arterial streets and buildings throughout the city. Without initiative by the citizens of Oshkosh, these billboards will remain until they are either purchased and removed or the value is reduced so greatly (such as by a storm) the billboard cannot be replaced due to non-conforming land use restrictions as outlined in the Zoning Ordinance.

The city's Municipal Code addresses advertising in Chapter 3. Section 3-10 states the following:

*"Every billboard, signboard, illuminated sign or other contrivance for outdoor advertising erected or maintained contrary to the provisions of this section shall be deemed a nuisance and may be abated by the Board of Public Works."*

This section of the code is where regulations and guidelines for the removal of billboards could be included in the future.

### ***Metallic and Nonmetallic Mining Resources***

The city does not have any metallic resources, but does have one nonmetallic mining operation, Vulcan Quarry. The Vulcan Quarry is bounded by Osborn Avenue, South Park Avenue, and Knapp Street. It is an active limestone mining operation, approximately 120 acres in size. The remaining life of the limestone quarry is between 10 and 15 years. No future mining sites are planned to be established in the city. Also at the time of preparation of this Plan, no sites within the city had been registered as a marketable nonmetallic mineral deposit sites with the Recorder of Deeds. Chapter 295 of the Wisconsin State Statutes contain further regulations regarding nonmetallic mining.

Nonmetallic mining sites operating on or beginning to operate after August 1, 2001 in Winnebago County are subject to the "Non-metallic Mining Reclamation Ordinance" adopted by the County Board in June 2001. The purpose of the ordinance is to ensure the effective reclamation of nonmetallic mining sites in compliance with Chapter NR 135, Wisconsin Administrative Code. Chapter NR 135 was written with two main goals: to rehabilitate mining sites and to assure these operations are conducted in a manner that promote successful reclamation.

In July 2001, the ECWRPC was designated as the regulatory authority for Winnebago County, and four other nearby counties. Therefore, ECWRPC is the party responsible for issuance of mining permits for the review and approval of reclamation plans as required with NR 135. Under this agreement, Winnebago County will still be responsible for the enforcement and associated zoning standards with its own "Non-Metallic Mining Reclamation Ordinance".

A reclamation plan must be approved no later than September 1, 2004 for existing mines. The purpose of the reclamation plan is to achieve acceptable final site reclamation to an approved post-mining land use in compliance with the uniform reclamation standards. The reclamation standards address environmental protection measures including topsoil salvage and storage, surface and groundwater protection, and contemporaneous reclamation to minimize the acreage exposed to wind and water erosion. The City reclamation plan for Vulcan Quarry shows the end use

of the site as a lake with areas of open space and some residential uses around the periphery of the site. Depending on final ownership of the quarry, the City may be involved in the final site planning for the quarry property as a public park or may be reviewing future development proposals if the property remains in private ownership. Regardless of final ownership the relationship between this spring-fed quarry and the water system through the city-owned South Park will continue to be an issue to address between the city and the future owner of the Vulcan Quarry site.

Two limestone quarry sites are outside of, but near the city limits. One is the Grundy Quarry on CTH Y and the second is a quarry owned by Vulcan Materials Company on Nekimi Avenue. While these limestone quarries are not within the city's current limits, they do influence surrounding land uses that may become part of the city over the next twenty-year planning period. The quarry on CTH Y is within an area identified appropriate for future park acquisition in the city's Comprehensive Outdoor Recreation Plan and has at least 20 years of quarrying remaining. The quarry may be able to meet the future park/recreational needs for this area of the city after the limestone has been claimed from the site.

Vulcan Materials Company will begin operation at the quarry on Nekimi Avenue once the quarry on Osborn Avenue/Knapp Street is closed. The estimated life of the Nekimi quarry is 100 years, with the reclamation plan identifying the property's end use as a lake and open space area.

### *Parks and Recreational Facilities*

In this Plan, parks and recreational facilities are discussed in this Natural Resources Section and the Utilities and Community Facilities Element of the Plan. The Utilities and Community Facilities Element discusses the specific recommendations of park sizes and park deficiency areas. That information was presented in the "Comprehensive Outdoor Recreation Plan" which was completed in December 2002. The plan provides recommendations for potential new park sites and for capital improvement recommendations (e.g. boat launches, fish cleaning facilities, playgrounds and restrooms).

Parkland acquisition and capital improvements may be funded through the parkland dedication fees, which are collected from new residential construction projects. The fees, updated in 2003, are \$400 per detached single family housing unit and \$330 per attached multi-family housing unit. During the life of this Comprehensive Plan, it is expected that these fees will change as the price of land rises.

In order to protect the value and surrounding aesthetics of our parks, the city may consider some type of overlay district for land abutting parkland so that adjoining uses are complimentary to one another in terms of land use and design.

There are also opportunities for the city to connect the park system with the trail system which are presented in the "Pedestrian and Bicycle Circulation Plan". Citizens and visitors would have the option to access parks and on- and off-street trails via a linked park network. The "Pedestrian and Bicycle Circulation Plan" and the "Comprehensive Outdoor Recreation Plan" can complement each other as projects are planned and constructed.

## *Air Quality*

The Clean Air Act, which was last amended in 1990, required the EPA to set National Ambient Air Quality Standards for pollutants considered harmful to public health and the environment. The Clean Air Act established two types of national air quality standards. *Primary standards* set limits to protect public health, including the health of "sensitive" populations such as asthmatics, children, and the elderly. *Secondary standards* set limits to protect public welfare, including protection against decreased visibility, damage to animals, crops, vegetation, and buildings.

The EPA has set National Ambient Air Quality Standards for six principal pollutants, which are called "criteria" pollutants. They are Ozone, Carbon Monoxide, Nitrous Oxides, Lead, Particulate Matter, and Sulfur Dioxide. An attainment area is a geographic area that meets the primary standard for the pollutant. A non-attainment area does not meet the primary standard for the pollutant. An area could be both an attainment area and a non-attainment area at the same time if it meets the primary standards for one pollutant but does not for a different pollutant.

Winnebago County is in an attainment area for all pollutant criteria, with the closest non-attainment area being the Milwaukee-Chicago region. One ozone monitoring station is in the city on Butler Avenue. However, the American Lung Association recently reported that Winnebago County was among 15 Wisconsin counties that received a failing air-quality grade for elevated ozone levels in a three-year reporting period that ended in 2001. In July 2003, the WDNR submitted a proposal to the EPA on whether Winnebago County should be an attainment or non-attainment area for ozone. The submittal included action plans on how to reduce ozone emissions. Designation of an area from an attainment area to a non-attainment area could result in air pollution control requirements such as reformulated gasoline or stricter emission standards on new and existing industries.

The City will continue to promote programs that allow for alternative transportation choices, mixed use development, and participate in public hearings regarding the potential designation of Winnebago County as a non-attainment area.

## Natural Resources Goals, Objectives, and Actions

Four goals have been identified for the protection and management of the city's natural resources. Objectives have been identified for each of these goals. For each goal, specific implementation actions are identified. These actions are what will be used to measure progress toward achievement of the general goals of each Element.

### **Goal A: Protect and preserve wetlands, shorelands, and other environmentally sensitive areas.**

Objective: Participate in programs that protect and conserve environmentally sensitive areas.

Actions: Design and construct the Fox River Corridor with a continuous, looped trail system and an environmentally sensitive design for the shoreline.

Participate in the local Water Quality Initiative, including participating in the lake council for Lake Winnebago.

Participate in air quality meetings and educational promotions with the DNR and EPA.

Revise Land Subdivision Ordinance to address:

- a. Cluster development requirements for protecting environmentally sensitive areas;
- b. Improved erosion control methods.

Revise Zoning Ordinance to address:

- a. Design guidelines for land next to existing and future parks;
- b. Impervious surface in the floodplain.

### **Goal B: Protect aquatic and wildlife habitat when managing development in proximity to environmental corridors, riparian areas, and woodlands.**

Objective: Develop programs that protect the environmental features during development.

Actions: Educate and involve public regarding:

- a. Water conservation practices.
- b. Non-point source pollution.
- c. Stormwater management techniques that address improving quality and lessening the quantity of runoff.
- d. Chemical fertilization, weed and pest control for lawns.

Revise Land Subdivision Ordinance to address:

- a. Cluster development requirements for protecting environmentally sensitive areas;
- b. Tree retention and tree replacement during development.

Revise Zoning Ordinance to address the minimum lot sizes and setback standards for shorelands and other natural features.

**Goal C: Protect and develop passive and active recreation resources (e.g. parks, trails, hunting and fishing opportunities).**

- Objective: Coordinate park purchases and programs that increase the amount of and connect recreational opportunities within the city and with other agencies and local units of government.
- Actions: Participate in the Vulcan Quarry reclamation planning process, including pursuing opportunities for conversion of Vulcan Quarry to public open space.
- Update the “Pedestrian and Bicycle Circulation Plan”, including:
- Further identify and develop a linked network of parks and trails around and within the city.
  - Design and construct the Fox River Corridor with a continuous, looped trail system and an environmentally sensitive design for the shoreline.
- Implement recommendations of the “Comprehensive Outdoor Recreation Plan”, including officially mapping parks and trails.
- Reduce geese in the city’s parks and publicly owned shorelands.

**Goal D: Promote an aesthetically pleasing natural environment throughout the city.**

- Objective: Develop programs that address the aesthetic quality of new and existing development.
- Actions: Identify and implement aesthetic improvements for gateways/key corridors into and through the city, including update of the “Highway 41 Corridor Plan”.
- Revise Zoning Ordinance to address:
- Landscaping requirements for new development and parking lots.
  - Signage requirements.
- Revise Land Subdivision Ordinance to address:
- Alternative methods to stormwater management;
  - Tree retention during development;
  - Eliminating conflicts between stormwater management and development requirements.
- Research and propose implementation of billboard reduction programs for the city, including highway corridors into the city.
- Monitor beach water and the quality of the lake and implement recommendations to improve the quality of the water.
- Update Chapter 26 of Municipal Code-“Trees and Vegetation”, to include options for terrace tree planting.

## Natural Resources Tools and Programs

Several tools and programs exist at the local, state and national levels to aid in the implementation of the goals and actions as listed above. When possible, the city will utilize these programs and pursue funding assistance to implement these actions.

### *Wisconsin Department of Natural Resources (WDNR)*

The WDNR is responsible for implementing state and federal laws that protect and enhance the natural resources of our state. The DNR is subdivided into several divisions and bureaus to address multiple disciplines of the natural environment and therefore has several grant, loan, and assistance programs. One example of a grant program is the Urban Rivers Program. Funds are allocated through the *Local Assistance Program* to restore or preserve the character of urban riverways through the acquisition of land or easements adjacent to rivers. Funding is provided for projects that are part of a plan to enhance the quality of a river corridor. The purposes of the program are to provide for economic revitalization through the restoration or preservation of urban rivers or riverfronts; to improve outdoor recreational opportunities by increasing access to urban rivers for a variety of public uses, including but not limited to, fishing, wildlife observation, enjoyment of scenic beauty, canoeing, boating, hiking and bicycling; and to preserve or restore significant historical, cultural, or natural areas along urban rivers.

The DNR also fulfills permitting, enforcement, informational, and educational functions. Because of the city's waterways and other environmental features, the city will continue to communicate and work with the DNR to protect and promote these features within new and redevelopment projects and pursue funding opportunities as they relate to these redevelopment projects.

### *Subdivision Regulations*

Cluster-based subdivisions are an alternative for subdivision design to allow for development to be directed away from environmentally sensitive areas without reducing the density of the development. Lot sizes and setbacks can be reduced so that the overall count is the same, but the lot does not include sensitive features such as wetlands or woodlands. Development on sites with these features will be required to use a cluster-based subdivision with the lots and buildings designed so as to put the least amount of impact on these features.

### *U.S. Department of Agriculture (USDA)*

Several programs are administered by the USDA Natural Resource Conservation Service. These include the following:

Wetland Reserve Program – Funds provided to encourage landowners to restore wetlands previously altered by agricultural use. There is a sliding cost-share arrangement depending upon if the wetlands are restored under permanent easements, 30-year easements, or 10-year contracts.

Wildlife Habitat Incentives Program – Fund provided to develop or improve fish and wildlife habitat on privately owned land.

Environmental Quality Incentives Program – Funds provided to farmers who agree to implement environmental best management practices that protect soil and water quality.

## Cultural Resources Vision

Oshkosh will be the arts, cultural, historical, and educational center of Northeast Wisconsin, integrating the city's history and historic built environment with new growth and development opportunities.

## Cultural Resources Inventory

The City of Oshkosh is rich with historical and cultural resources. The term "cultural resources" includes historic buildings and structures as well as ancient and historic archeological sites. Not all cultural resources have the same level of significance. Some have historic value on a national or state level, while others have historic value on a local level.

In April 2003, the city celebrated its 150<sup>th</sup> Anniversary with events on the anniversary weekend and throughout the year, including a lecture series, special tours, production of a videotape, and publication of books and documents. The city has six historic districts, one historic site, and an additional 16 historic buildings outside of these districts (shown on page 19). The districts and site are described below.

### *Historic Districts*

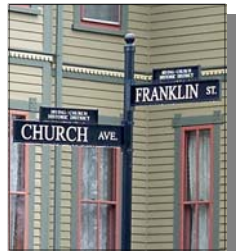
Algoma Boulevard Historic District – This district is along Algoma Boulevard from Woodland Avenue to Bent Avenue and consists of 38 contributing and 5 non-contributing properties. It was certified and listed in the State and National Register of Historic Places in December 1994. Houses in this residential neighborhood are primarily large two-story residences built between about 1857 and 1941.

Irving Church Historic District – Certified and listed in the State and National Register in March 1994, this district is bounded by Franklin Street, West Irving Avenue, Elmwood Avenue and Church Avenue, to the west of downtown. It consists of 147 contributing and 3 non-contributing buildings.

North Main Historic District – This district includes 60 contributing buildings, 1 contributing object, and 10 non-contributing resources in this district that encompasses portions of nine blocks in the downtown areas from High Street north to Parkway Avenue. The district consists primarily of one and two-story masonry commercial buildings constructed between 1874 and 1931. This district was certified and listed in the State and National Register in March 1996.

Oshkosh Normal School Historic District – This district consists of a group of University-owned building associated with the former State Normal School. The district includes only four buildings, which until the late 1950s represented the entire educational complex. The four buildings are Dempsey Hall (1917), Harrington Hall (1912), Swart Hall (1928), and the Hooper-Oviatt Residence (1884).

Paine Lumber Company Historic District – This district originally included 14 buildings (10 contributing and 4 non-contributing) in the area along Summit Avenue from New York Avenue north to Congress Avenue. The factory has been removed from the district due to alterations while converting the structure for residential condominiums. All of the structures in the District, with the exception of the City Fire Station on Congress Avenue, were originally owned by the Paine Lumber Company.



In 2004, new street signs were installed delineating the Irving-Church Historic District.

Washington Avenue Historic District – Certified and listed in the State and National Register of Historic Places in May 1986, this district consists of 118 contributing and 17 non-contributing buildings. The district encompasses residential properties from Bowen Street to Lake Winnebago and from Merritt Avenue south to Washington Avenue.

Riverside Cemetery Historic Site – This 98-acre cemetery lies between Algoma Boulevard and the Fox River, north of Murdock Avenue and is the city's most recent addition to the State and National Register of Historic Places, certified and listed in June 2003. The city purchased the original cemetery in 1855, with expansions in 1882 and 1914. The cemetery includes sections historically reserved for Catholics, Masons, and veterans. Contributing resources include two buildings, 32 structures, five objects, and one site.

### *National Register Properties Located Outside Historic Districts*

Sixteen individual properties in the city lie outside of the National Register Historic Districts and Site. These individual properties are listed below and included on the map on page 187.

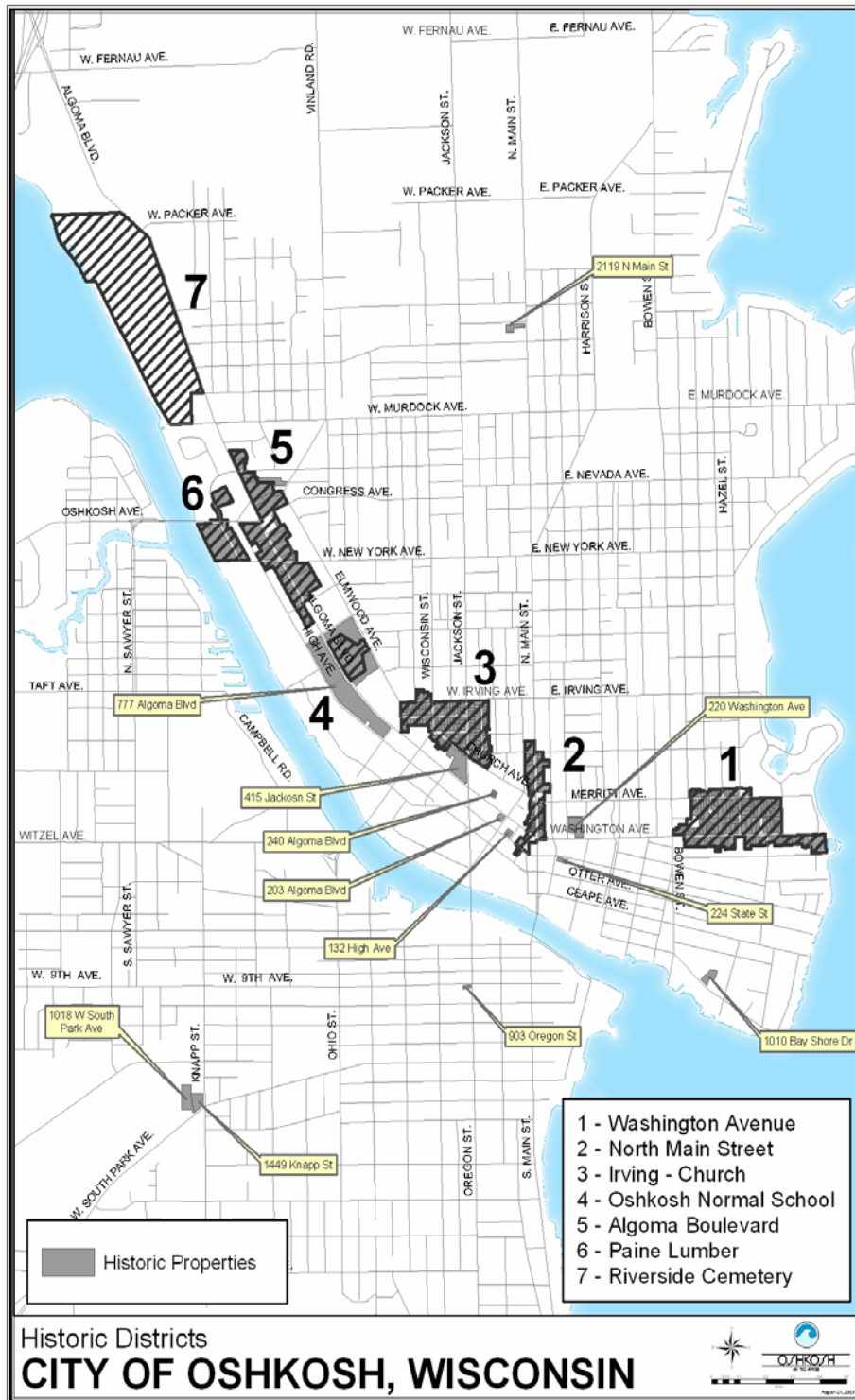
- Abraham Bowen Briggs House, 1010 Bayshore Drive
- Brooklyn No. 4 Fire House, 17 W. 6<sup>th</sup> Avenue
- Buckstaff Observatory, 2119 N. Main Street
- Daily Northwestern Building, 224 State Street
- First Presbyterian Church, 110 Church Avenue
- Frontenac Apartment Building, 132-140 High Street
- Robert Lutz House, 1449 Knapp Street
- Mayer-Banderob House, 809 Ceape Street
- John R. Morgan House, 234 Church Avenue
- Orville Beach Memorial Manual Training Building, 240 Algoma Boulevard
- Oshkosh Grand Opera House, 100 High Avenue
- Security Bank Building, 903 Oregon Street
- Trinity Episcopal Church, 203 Algoma Boulevard
- Thomas R. Wall House, 715 Algoma Boulevard
- Winnebago County Courthouse, 415 Jackson Street
- Wisconsin National Life Insurance Building, 220 Washington Avenue

A private consultant completed the city's existing intensive historic property survey in 1980. Because the survey was not comprehensive in scope and the survey was taken over 20 years, it is believed the other eligible properties and districts exist. In order to submit historic district nominations to the State, a more thorough survey is needed to identify potentially eligible properties.

No federal or state regulations exist for alterations for any historic property or district on the State or National Register of Historic places undertaken with non-federal funds. The only form of regulation is based on local ordinances. The City of Oshkosh adopted an ordinance which permits the Landmarks Commission to have limited authority to regulate alterations to historic properties. The Historic Preservation Ordinance (Municipal Code, Section 30-76) stipulates that only locally designated landmarks may be regulated. To date, no local landmarks have been designated.

One resource available to qualified historic buildings is the state's Historic Building Code. The Historic Building Codes was established to provide alternative building standards for preserving or restoring buildings or structures designated as historic buildings; facilitate the restoration of

historic buildings so as to preserve their original or restored architectural elements and features; and permit a cost-effective approach to historic preservation and restoration. The owner of a qualified historic building who elects to be subject to this code is not required to comply with any provision of any other building code, including any county or municipal building code, or of any other local ordinance or regulation, if that provision concerns a matter dealt with in the historic building code.



### *Historic and Cultural Resources Owned/Operated by the City*

The city owns the Grand Opera House, the Oshkosh Public Museum, the Oshkosh Public Library, and the Riverside Cemetery. The Museum is located in the Paine Lumber Company Historic District. The Library and City Hall are the only city-owned building of these four properties not part of a historic district or listed as an individual site on the National Register.



The Grand Opera House, located at 100 High Avenue, is owned by the city and has been managed by the Oshkosh Opera House Foundation since October 6, 1986. The Foundation has a 15-member Board of Directors and is responsible for The Grand's rental activity, as well as providing a fine arts season of national and international touring artists. Each year, over 25 public performances and approximately 30 youth events comprise the fine arts season with another 100 activities, including community theater and corporate meetings.

Local architect William Waters designed the Opera House. A restored Victorian theater, The Grand was built in 1883 and renovated during the 1980s. Waters, who designed over 100 buildings in Oshkosh (including the Public Library and Museum), also designed opera houses, schools, courthouses, churches, businesses and residences throughout the state.



Located at the intersection of Algoma Boulevard and Congress Avenue is the Oshkosh Public Museum. Built in 1908 for Edgar P. Sawyer a lumber baron, banker, and businessman, the residence was designed by William Waters. With its gabled roof, fluted chimneys, Bedford stone carriage port, and elevator, the home was considered to be the finest in Oshkosh. In 1922, Sawyer donated his home to the city for use as a museum, which opened two years later as an art museum. A 7-member Board is appointed by the Council for three-year terms. The Board is responsible for directing the general operations of the museum, such as hours of operation, exhibition schedule, and approving the annual budget.

The museum owns a diverse collection of objects and images representing the people and environment of Oshkosh and the Lake Winnebago Region of East Central Wisconsin. More than 250,000 objects are held in trust by the museum including fine, folk and decorative arts, textiles, toys, natural history specimens, Native American objects, historic artifacts, and an outstanding archival collection.



The Oshkosh Public Library was established by the city in 1895. The library has operated out of its current downtown location since 1900, undergoing a major expansion in 1967 and again in 1993. Private donations have provided significant impetus to library capital projects throughout its history. The library is an example of Beaux Arts Classic architecture, with the façade being dominated by a pedimented portico, supported by six columns. Above the portico is a low dome. Originally the main entrance was on Washington Avenue, but that changed with the completion of the expansion.

The library is administered by a 10-member board, nine appointed by the Mayor and Council and one appointed by the County Executive and County Board. The library collection consists of over 403,000 items comprising books, videos, CD's, DVD's, etc. The library consistently ranks among the highest in Wisconsin in per capita circulation with a circulation of 1,122,000 items in 2002. The library attracts about 1,400 people a day to the facility.

Designed by architects William Waters and Henry Auler, the Oshkosh City Hall, located at 215 Church Avenue, was originally the Oshkosh High School. The building was constructed in 1915 and city government services moved into the building in 1963, after West High School was completed. Due to some external alteration, it is unclear if City Hall is eligible for listing on the National Register, but according to the 1980 intensive historical survey, the building is William Water's last major work before his death in 1917. Historic eligibility will be determined with the updated intensive historical survey.

The Riverside Cemetery is the final cultural resource owned and maintained by the city. In March 1855, the City of Oshkosh purchased a parcel of land for cemetery purposes and named it Riverside Cemetery, given its location along the Fox River. A Catholic cemetery was laid out on land just north of this new cemetery and a few years later the Masons bought a small parcel of the east edge of Riverside Cemetery. Several additions were made to the cemetery over time, such that the cemetery now totals over 98 acres. This cemetery was governed by the Riverside Cemetery Board until 1972, when management was transferred to the Director of the Oshkosh Parks Department.

### *Historical and Cultural Recreational Connections to the River and Lake System*

Oshkosh has had a strong association with Lake Winnebago and the Fox River system since the early settlement of the city. This includes economic and transportation connections during the lumber and manufacturing industries but also a recreational connection that is to this day a part of everyday life for local residents. The lumber and manufacturing industries depend significantly less on the river and lake systems than they did in the earlier years of the city. Whether it is fishing along Sawyer Creek, boating on Fox River or sailing on Lake Winnebago, the local river and lake systems offer recreational opportunities for residents of all ages and income levels. These recreational opportunities have been streamlined into the everyday culture of the residents of Oshkosh.

The water system has had a major influence on the historical and cultural resources of the community. The first sailing regatta was held on Lake Winnebago in 1860 and the Oshkosh Yacht Club was formed in 1869. In 1903, the Oshkosh Yacht Club built a new clubhouse on the Lake at the eastern end of Washington Street. Local architect William Waters designed the clubhouse, which today serves as the home for the American Legion. Culturally, the water systems provide for activities and tournaments throughout the year including fisherees, the annual sturgeon spear harvest, and boat racing competitions.

Most land uses on the local water systems have transitioned from the historical industrial and transportation uses and are now associated with recreational, commercial, and residential uses. This connection to the water is one that needs to continue to improve as residents continue to maintain, protect, and increase public access to these water systems. This includes improving and increasing boat launches and docks, improving the way-finding signage to access points, completing the looped riverfront trail system, and creating publicly accessible parks along the water. These boat launches, parks, and recreational facilities and protection of these resources are described in more detail in the previous Natural Resources section of this Element and the Utilities and in the Community Facilities Element of the Plan.

According to a 2001 Report on Cultural and Historic Tourism, visitors to historic and cultural attractions spend, on average, \$631 per trip compared to \$457 for all U.S. travelers.

### *Oshkosh Arts - Cultural Tourism Program*

Oshkosh Arts ([www.oshkosharts.com](http://www.oshkosharts.com)) is a collaboration of art and cultural organizations in Oshkosh. The association is an affiliate of the Chamber of Commerce with an objective that focuses on the marketing and joint promotion of the city's rich cultural environment. The Travel Industrial Association of America and Smithsonian Magazine recently conducted a study showing a continued and growing interest in traveler's desire to experience cultural, arts, historic, and heritage activities. A report by the State of Wisconsin Department of Tourism stated that travelers spent \$219 million in Winnebago County in 2003 ranking the County 13<sup>th</sup> in the State for traveler spending.

### *Oshkosh Convention & Visitors Bureau*

The Oshkosh Convention & Visitors Bureau (CVB) is housed in the Oshkosh Convention Center on North Main Street. The center was built in 1985 and offers facility space and support services for meetings and conferences. The CVB maintains a calendar website ([www.oshkoshcvb.org](http://www.oshkoshcvb.org)) with a listing of community events, as well as other activities and sites Oshkosh has to offer.

In October 2001, a report "Strategic Market Analysis for the Oshkosh Convention Center" was prepared by a private consultant, with an analysis of the facility space, access, expenses and revenues, and the regional convention facilities market. The report outlines options for the Convention Center and adjoining hotel to update and expand existing facilities. In doing so, it is estimated that the Convention Center and hotel will become more financially stable and be able to attract more conventions with larger number of participants.

### *Preserving the City's Memory*

The duty of preserving the local community's memory is shared by several organizations throughout the city and Winnebago County. This includes the Oshkosh Public Library, the Landmarks Commission, the Oshkosh Public Museum, the Winnebago County Historical and Archeological Society, and the Winnebago Genealogical Society. The Winnebago County Historical and Archeological Society promotes the advancement of local history of the County through monthly programs and tours of the Morgan House. The Winnebago Genealogical Society consists of members interested in researching and documenting the history of family and community members.

When researching and discussing the city's past, the issue of preservation of that past comes to light as well. As technology changes, so do the options for preserving documents, newspapers, and photographs. Issues of accessibility and document translation are also factors in the decision-making process for document preservation.

## Community Design

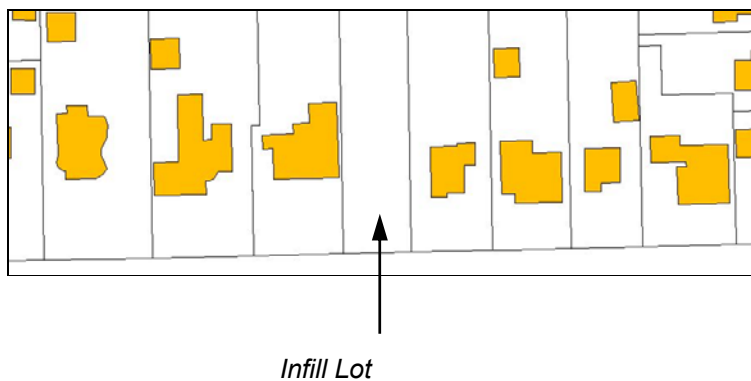
Several tools exist for the city to address design issues—sign regulations, zoning requirements, and subdivision provisions—which are discussed in other sections of this Plan. In addition to these tools are also tools that preserve the historical and architectural quality of residential and non-residential structures throughout the city. Tools that maintain characteristics of the surrounding neighborhood or the historical and architectural integrity could include design guidelines for buildings in the downtown, regulations for infill development, or the creation of overlay zone districts for key corridors into and through the city.

### *Downtown Design Guidelines*

The downtown area of Oshkosh has a mixture of contributing and non-contributing buildings in the North Main Street Historic District. There are also other buildings outside of the historic district listed on the State and National Register of Historic Places. In order to promote and maintain the integrity of the downtown, the city will consider adopting design guidelines for development in the downtown area so that new buildings complement the character of the existing buildings and the city will promote rehabilitation of older buildings that maintain the existing characteristics of the buildings. Guidelines could address the issue of signage, outdoor “café-style” seating, parking, street orientation, and façade improvements.

### *Infill Development Guidelines*

Infill development occurs when a vacant parcel is developed amid an existing developed residential or commercial neighborhood area. (See diagram below.). Any infill development constructed today must adhere to today’s building and zoning regulations. The codes and regulations require new construction to meet today’s standards, which may not be consistent with the characteristics of surrounding older development. For example, the city currently requires a front yard setback of 25 feet for a single-family residential house. There are several areas in the city where this front yard setback is not the norm because homes were constructed prior to this requirement; therefore, new construction on an infill lot that meets current setback standards will not be consistent with the existing characteristics of the neighborhood.



Infill guidelines could be created to address issues such as differing yard setbacks, street orientation, architectural style, and types of building materials.

A rehabilitation code is also an option for protecting the characteristics of older housing construction that is not necessarily historic. Historic homes can use the state's Historic Building Code, but some communities have adopted a rehabilitation code for older houses that were not constructed with current building codes. Instead of requiring this selected older housing stock to upgrade to current code requirements, the rehabilitation code allows for rehabilitation-related work to be done as was consistent with codes requirements in place at the time the home was constructed.

### *Overlay Zone Districts*

As discussed in the Land Use Element of this Plan, the city has the ability to create overlay zone districts, which include variations to the underlying zone district. The city has four overlay zone districts. They include the Lakeshore Overlay, Downtown Overlay, Planned Development Overlay, and the Highway 41 Corridor Overlay.

As part of the implementation of this Comprehensive Plan, these overlay zone districts will be reviewed and updated, as necessary. If desired, the city also has the ability to create overlay districts for key corridors (also known as "gateways") into and through the city. For example, Highway 76 (Jackson Street) is a major corridor through the city and could potentially benefit from some variations to the zone district to improve the aesthetic quality of the corridor. It is vital that with the creation of any overlay zone districts, the process includes the business community and property owners within the corridor who would be affected by any of these changes.

The Highway 41 Corridor Improvement Plan was adopted in March 1997 as a result of the 1993 Comprehensive Plan process. The Corridor Improvement Plan identified and prioritized long- and short-range improvement projects to improve the safety and efficiency of the frontage road system and improve the aesthetics and visual character of the corridor. After identifying the main corridors through and into the city, overlay zone districts or improvement plans could be established for improved aesthetics and traffic movement.

## Cultural Resources Goals, Objectives, and Actions

Six goals have been identified for the protection and management of the city's cultural resources. Objectives have been identified for each of these goals. For each goal, specific implementation actions are identified. These actions are what will be used to measure progress toward achievement of the general goals of each Element.

### **Goal A: Promote the on-going viability of publicly and privately owned cultural resources.**

Objective: Develop partnerships and programs that promote local resources to citizens and visitors.

Actions: Maintain and improve the visibility of and accessibility to our historic and cultural resources.

Pursue private/public partnerships to support the city owned and operated resources.

Prepare an inventory and maintenance plan for Riverside Cemetery.

Increase commitment to maintain historic and cultural resources owned and operated by the city.

### **Goal B: Create a strong and vibrant cultural tourism program.**

Objective: Coordinate events and advertising of cultural events for visitors.

Actions: Conduct a marketing and implementation study for a cultural tourism program.

Pursue funding sources for implementation of cultural tourism programming.

### **Goal C: Promote and publicize cultural events and sites within the city.**

Objective: Develop programs that increase awareness of local events and sites.

Actions: Pursue private/public partnerships to support the city owned and operated resources.

Maintain the "Oshkosh Events" website ([www.oshkoshevents.com](http://www.oshkoshevents.com)) with updated information regarding cultural resources and activities.

Continue coordination with OASD and UWO on historical and cultural resource curriculum.

**Goal D: Encourage preservation and protection of the historic built environment.**

Objective: Develop programs that identify and promote local historic resources.

Actions: Adopt design guidelines for the Main Street Historic District and downtown area.

Create a rehabilitation code for pre-existing conditions on historic properties.

Promote identification of existing and survey potential historic districts and neighborhood boundaries.

Review and revise Article XVIII, Chapter 30 of the Municipal Code "Historic Preservation".

**Goal E: Maintain, improve, and increase public access to the waterfront.**

Objective: Continue to provide and promote opportunities for recreational events on and public access to the Lake Winnebago and Fox River system.

Actions: Create a shoreline/riverfront overlay zoning district.

Upgrade and improve the city's way-finding signage system, including to the lake and river access points.

**Goal F: Continue to improve the city's overall aesthetic quality.**

Objective: Develop programs that update and create standards to address the aesthetic quality of new and existing development.

Actions: Develop design standards for infill development.

Explore opportunities for corridor plans into and through the city.

Update the Highway 41 Corridor Improvement Plan.

## Cultural Resources Tools and Programs

The community has access to local, state, and national organizations for data gathering and research, technical assistance, and nomination services. A variety of tools, programs, and funding sources are available to aid in the protection and establishment of the city's cultural resources.

### *State Register and National Register of Historic Places*

The State Register is Wisconsin's official listing of state properties determined to be significant to Wisconsin's heritage and is maintained by the Division of Historic Preservation at the Wisconsin Historical Society. The National Register is the official national list of historic properties in America, worthy of preservation and is maintained by the National Park Service in the U.S. Department of the Interior. Both listings include sites, buildings, structures, objects and districts that are significant in national, state or local history, architecture, archaeology, engineering and culture.

### *Historic Preservation Ordinance – Certified Local Government Program*

The city currently has a historic preservation ordinance, Section 30-75 of the Municipal Code, but is proposing to update this ordinance with the implementation of the Plan. Once cities have enacted a historic preservation ordinance, they may consider being certified to participate in the state and federal Certified Local Government program, which provides special grants to fund planning and educational activities. The city is currently not a part of the CLG program but will pursue this after the adoption of this Plan. Benefits of the CLG Program including being eligible to apply for Wisconsin Historic Preservation Funds subgrants and to authorize the use of the Wisconsin Historic Building Code for locally designated historic buildings.

### *Landmarks Commission*

The Common Council established the Landmarks Commission in the early 1980's. Among the duties and responsibilities of the Commission as defined in Chapter 2 of the Municipal Code, the Commission is charged with fostering the protection, enhancement and perpetuation of historic improvements and of districts which represent or reflect elements of the city's cultural, social, economic, political and architectural history and safeguard and foster civic pride in the city's historic and cultural heritage as embodied in landmarks and historic districts.

### *Wisconsin Historical Society*

The Wisconsin Historical Society is both a state agency and a private membership organization. Founded in 1846, two years before statehood, and chartered in 1853, it is the oldest American historical society to receive continuous public funding. The Society serves as the archives of the State of Wisconsin by collecting books, periodicals, maps, manuscripts, relics, newspapers, and audio and graphic materials as they relate to North America; maintaining a museum, library, and research facility in Madison as well as a statewide system of area research centers and local societies; administering a broad program of historic preservation; and publishing a wide variety of historical materials.

### *Business Improvement Districts*

As described in the Economic Development Element, the city has one BID encompassing the downtown area from the Fox River north to Parkway Avenue and from Market Street/Division Street east to Jefferson Street/State Street. The BID board sets an annual self-assessment for all members of the BID based on the property's linear frontage and the assessed value. In addition to their current activities, the BID could also conduct a façade rehabilitation grant program to enhance the historic assets of the downtown.

### *Architectural Conservancy Districts*

Any municipality with a historic district also has the ability to create an Architectural Conservancy District. These conservancy districts are similar to the BIDs in that an operating plan is prepared detailing how much money will be assessed to tax parcels in the district and how the assessed funds will be spent. Improvements funded by a conservancy district include the purchase of a preservation easement or the construction of historic streetlights or installation of decorative street signs. The Common Council would approve such an operating plan and appoint board members.

### *Federal and State Investment Tax Credits*

Owners of historic buildings are eligible to participate in federal and state income tax incentive programs for the rehabilitation of historic properties. To qualify for the investment tax credit (ITC) programs, an owner must have a building listed, or eligible for listing on the State Register and National Registers of Historic Places. Currently there are programs for income producing properties and for owner-occupied residences. Wisconsin has three ITC programs, each with its own requirements. Additional information can be found at the Wisconsin Historical Society, Division of Historic Preservation.

### *Community Development Block Grant*

As an entitlement community, the city receives an annual allocation of CDBG funds from the Department of Housing and Urban Development. Eligible activities for the expenditure of CDBG funds, as they relate to cultural resources include: rehabilitation of historic residential property, preservation or restoration of properties of historic significance, façade improvements to commercial structures, and conducting historic preservation studies.

### *Wisconsin Department of Tourism*

The Wisconsin Department of Tourism offers two programs which are pertinent to cultural tourism programming. The first is the Joint Effort Marketing (JEM) Grant Program, which provides partnership funding to help non-profit organizations promote tourism and to maintain a strong tourism industry in Wisconsin. The program offers Wisconsin's tourism communities a variety of options to assist in the development of marketing initiatives. Joint Effort Marketing is a matching grant reimbursement program. The second program is the Wisconsin Heritage Tourism Program, which was established in 1990 to increase the awareness of the importance of history and culture to the residents and visitors of Wisconsin and to

provide economic development opportunities to areas based on history and tourism. The program was designed to help local areas develop, package and promote their historical resources. The Convention & Visitors Bureau will continue to assist organizations in pursuing these funds.

### *Other Sources*

In addition to these funding sources listed above, several other funding sources exist for historic and archaeological sites and structures. Websites for these resources include:

- Wisconsin Department of Transportation-Local Transportation Enhancements ([www.dot.state.wi.us](http://www.dot.state.wi.us));
- Wisconsin Department of Commerce ([www.commerce.state.wi.us](http://www.commerce.state.wi.us));
- Wisconsin Department of Natural Resources-Bureau of Community Financial Assistance- ([www.dnr.state.wi.us](http://www.dnr.state.wi.us)); and
- Wisconsin Department of Tourism ([agency.travelwisconsin.com](http://agency.travelwisconsin.com)).

Additional information regarding these sources can be found on the websites for each of the agencies.

## **Coordination with Other Plan Elements**

Because of the interconnectivity of the elements of the Comprehensive Plan, it is beneficial to note some of the coordination between the Elements as the goals, objectives, and actions of the Plan are implemented. This is done in order to avoid conflict between the elements.

### *Housing Element*

Protecting and maintaining the existing housing stock will address goals in this Element and the Housing Element. Finding ways to rehabilitate existing housing and construct new housing while preserving the integrity of neighborhoods is important and will be key in carrying out the goals of this Plan.

### *Land Use Element*

The use of the cluster-based subdivision development and the protection of natural resources will have an influence on how land is developed. The development of land will also provide opportunities for a linked park and trail system throughout the city and its periphery. Efforts included in this Element regarding the revision or creation of any regulations (sign, landscaping, etc.) also have a role in the development of land.

### *Economic Development Element*

The Economic Development Element and this Element both include goals of promoting Oshkosh as a destination point. Promotion and marketing efforts can be coordinated between the participating entities involved in pursuing these goals. The protection and access to natural resources such as the Fox River and the Lake Winnebago serve not only environmental purposes, but also economic and cultural purposes when considering the amount of year-round activity in Oshkosh affiliated with the river and lake.

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