

JULY 8, 2008
FIRST READING

JULY 22, 2008
SECOND READING

07-236 07-249 ORDINANCE

(CARRIED 7-0 LOST LAID OVER WITHDRAWN)

PURPOSE: AMEND CITY OF OSHKOSH COMPREHENSIVE PLAN /
 LAND USE ELEMENT

INITIATED BY: DEPARTMENT OF COMMUNITY DEVELOPMENT

PLAN COMMISSION RECOMMENDATION: Approved

AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN OF THE CITY OF
OSHKOSH, WISCONSIN

The Common Council of the City of Oshkosh, Wisconsin, do ordain as follows:

SECTION 1. The City is recommending amendments to the approved Comprehensive Plan to revise two sections of the Land Use Element to (a) clarify that the recommended land use maps would apply to only those areas within the City's three mile extraterritorial plat review boundary, and (b) to clarify that agricultural uses can continue in all recommended land use areas.

SECTION 2. The Plan Commission recommended approval of said amendments.

SECTION 3. The City has held a public hearing on this Ordinance, in compliance with the requirements of Section 66.1001(4)(d), Wisconsin Statutes.

SECTION 4. The Common Council of the City of Oshkosh, Wisconsin, hereby approves revising the first paragraph under the "Future Land Use Projections" section of the City of Oshkosh Comprehensive Plan, Chapter 4, Land Use Element, page 50, per the attached "Exhibit A".

SECTION 5. The Common Council of the City of Oshkosh, Wisconsin, hereby approves of revising the "Existing and Potential Land Use Conflicts" section of the City of Oshkosh Comprehensive Plan, Chapter 4, Land Use Element, page 50, per the attached "Exhibit B".

SECTION 6. This Ordinance shall take effect upon passage by a majority vote of the members-elect of the Common Council and publication as required by law.

"EXHIBIT A"

Revised first paragraph only, "Future Land Use Projections" Section
City of Oshkosh Comprehensive Plan
Chapter 4, Land Use Element
Page 50

Future Land Use Projections

Land use maps are used to give the community a better idea of how land in the city will be used in the future. The future land use maps were created using a variety of resources. These resources include the existing land use map and special area plans, aerial photography, land use maps of adjoining communities, soils and environmentally sensitive areas map (which help to understand development limitations), utility and facility service area maps, and existing and future transportation corridors. The maps show the general location and type of land uses within the city and on the city's periphery. The land use maps include areas outside of the city's three mile extraterritorial subdivision and certified survey map review area that is subject to change as the boundaries of the city change through annexation or attachment. The city will expand into these areas as the area urbanizes and the recommended land use maps will help prepare for this growth and lessen future land use conflicts. However, the city will only apply the future recommended land uses on the 10 and 20 year land use maps to those areas within the city's extraterritorial control area as adjusted through boundary change. Areas outside the city's extraterritorial jurisdictional area will be regulated by the Comprehensive Plan of Winnebago County and the respective Town Comprehensive Plans. The maps are to be used as a basis for making general land use decisions relative to the City's land use control regulations. Land use designations will be evaluated in terms of their consistency with these maps and other applicable elements of this Plan and all other applicable Ordinances.

"EXHIBIT B"

Revised "Existing and Potential Land Use Conflicts" Section
City of Oshkosh Comprehensive Plan
Chapter 4, Land Use Element
Page 50

Existing and Potential Land Use Conflicts

While the Comprehensive Plan aims to reduce land use conflicts there are instances when during a period of land use transitions, conflicts arise due to timing and establishment of nonconforming uses. The Zoning Ordinance aims to reduce conflict by providing regulations for the establishment of transitional yards and buffers and by setting parameters on the amount of expansion a non-conforming structure or use can undergo.

In these areas of transition, the city can use its Planned Development Overlay District to provide some flexibility in design and development of the new project while mitigating conflict with existing development. An example of the use of the PD Overlay District used to lessen land use conflicts is the reuse of the former Mercy Medical Center on Hazel Street. Additional requirements were added to the reuse plan for additional landscaping to the existing landscaping buffers and for installation of architectural style fencing along the perimeter parking areas.

There exist numerous agriculturally zoned and used properties throughout the Plan's growth areas. Many of these agricultural properties are located in areas that the Comprehensive Plan identifies for future nonagricultural uses. It is not the intent of this Plan to discourage the continued use of lands for agricultural purposes and such activities that help ensure the continuation shall be permitted. Permits for accessory structures shall be allowed in all areas. Permits for new residential structures shall only be allowed in areas shown as "Residential" or "Rural Preservation" on the adopted land use maps.