

FEBRUARY 26, 2008
FIRST READING

MARCH 11, 2008
SECOND READING

08-57

08-89

ORDINANCE

(CARRIED 7-0 LOST _____ LAID OVER _____ WITHDRAWN _____)

PURPOSE: AMEND CITY OF OSHKOSH COMPREHENSIVE PLAN

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 proposes an amendment, see attached, to the City's approved Comprehensive Plan to revise the Rural Preservation Land Use section to provide the limited ability to approve "infill" type land divisions within the designated "Rural Preservation" areas identified on the Land Use Map that addresses existing small residential areas within larger predominately agricultural use areas.

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

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 of the attached revised "Rural Preservation Land Use" section of the City of Oshkosh Comprehensive Plan, Chapter 4 Land Use Element, page 53.

SECTION 5. 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.

Rural Preservation Land Use

While the city will have agricultural uses within its boundaries, the city does not foresee having a demand for more agricultural land within the city limits. Agricultural land will in all likelihood remain in a town's jurisdiction until the demand for development initiates an annexation request. The city's goal is to avoid premature development of agricultural lands that conflict with future city land uses or is not able to be efficiently served with facilities and services. While that agricultural land may not be immediately developed, agricultural land at that time serves as temporary land use in anticipation of being developed in the future. The future land use map shows approximately 38,415 acres of land designated as "Rural Preservation" in the 20-year land use map.

With the current Zoning Ordinance, minimum lot sizes for agricultural uses are either 10 acres or 35 acres, for the A-1 and A-2 zoning districts, respectively. One acre lots may be created in the A-2 district for pre-existing housing. Residential developments developed at these standards are generally not considered to have typical urban services, such as water, sanitary, and stormwater sewer service, sidewalks, and close proximity to parks due to the inability to service this type of residential development in cost-efficient manners.

Areas designated for "Rural Preservation" on the land use maps are to remain in agricultural and related uses until such time as these lands are provided with urban services. Establishment of low-density residential development not associated with an agricultural or related use is not consistent with the "Rural Preservation" land use designation. Parcels where there are existing residential dwellings developed as an accessory use to an agricultural use may be divided as long as the land division is the minimum necessary to retain the principal use of the land.

Within the areas designated as "Rural Preservation" there are numerous pockets of non-agricultural residential uses created prior to the adoption of the City's Comprehensive Plan and/or prior to the City being able to enforce its extraterritorial land division platting jurisdiction. In these areas "infill" type land divisions may be approved subject to a finding by the Plan Commission that the proposed land division is not establishing a new land use pattern and that the proposed land division will assure the continuation of the agricultural land use pattern in the general area.