



# *Town of Pilsen Land Use Planning Committee*

## **Committee Members**

Charlie Singler, Chairman  
John Grek, Secretary  
Philip Lupa  
Glenn Miller  
Mark Misun  
Tim Oksiuta  
Gus Smith  
Bob Sukala  
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## **Town Board**

Mike Misun	Chairman
Gary Johanik	Supervisor
Tom Lajcak	Supervisor
Suzi Misun	Clerk
Pam Brown	Treasurer

## **Guidance and Assistance**

Timothy Kane	Bayfield County UW Extension Resource Agent
David Lee	Bayfield County Land Records Administrator
Karl Kastrosky	Bayfield County Zoning Administrator
William Kacvinsky	Chairman, Bayfield County Board of Supervisors

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## Planning Process and Schedule

The Town of Pilsen Land Use Planning Committee was organized 6 October 1998 in a Special Meeting in the Town Hall. The Chairman, Michael Misun called the meeting to order and gave the eight volunteer members present their charge; to elect a Chairman, hold public meetings and develop a Land Use Plan for the Town. Since two members were not present at the initial meeting the committee decided to wait until their next meeting to select a chairman. Ten volunteers comprised the initial committee.

The committee began collecting information by conducting “windshield surveys” of current land use throughout the town. Later, aerial photographs were added to aid in data collection. A survey questionnaire was developed and on 9 August 1999 the survey was mailed to all landowners in the Town. Seventy-one (71) percent of surveys were returned, many with written comments included. The results were tabulated and a clear picture of the desires of residents of the Town began to appear.

Committee membership declined to eight by April 1999, and the original eight continued until May 2000, when a ninth member was added. The nine committee members have remained intact to this point.

Beginning in December, 1999 the Committee began to wrestle with the issue of Zoning. Since the Town of Pilsen is the only municipality in Bayfield County that is not zoned, this would become a major issue to deal with. Throughout 2000 and 2001 meetings were held that centered on the options associated with accepting or rejecting county zoning. Special Town meetings were held to ask for citizen input and the issues were finally resolved at a special meeting held 24 January 2002.

This land use plan is intended to serve as a guide and resource for both the Town Board and the County Zoning Committee to help resolve land use issues and address development in the Town of Pilsen while trying to maintain the quality of life we now enjoy in the town. This land use plan should be reviewed at least yearly for content and completeness by the Town Board or their designated representatives in a duly appointed committee.

## Background Information

### History

Land contracts for parcels of land in this area to use for right-of-ways were sold to the Northern Pacific and the Chicago, St Paul and Omaha railroads on November 15, 1888. The Northern Pacific completed the railroad from Superior to Ashland in 1892 for the purpose of moving timber and lumber to the markets and later to accommodate settlers for their livelihood and transportation. On January 21, 1904, most of this area was sold to R. D. Pike Lumber Company.

On April 10, 1909, James W. Good bought the land from Pike Lumber Company and put it up for sale as parcels to the public on April 15, 1909. This cut over land sold for from \$7.00 to \$25.00 an acre to the new settlers. (Names and dates taken from a farm deed in the SW ¼ of Section 10, T 47N, R 6W)

The Town of Pilsen, named after a city in the then Kingdom of Austria-Hungary, was separated from the Town of Eileen and created as a new township in March 1909. The new municipality was formed as a Township and contained 72 sections. The town board was composed of a Chairman, two Supervisors, a Clerk and a Treasurer. Meetings were to be held once a month to govern the new settlers. In 1918 the Township of Keystone was formed from the southern half of the Town of Pilsen and became a separate municipality. This left the Town of Pilsen with its current total of 36 sections of land.

A site in Section 11, T47N, R6W was chosen for the meeting place for the new board, as it already had a name. When the surveying of the Northern Pacific railroad was done, one surveying crew started from Superior, Wisconsin going east and the other started from Ashland going west, with the intention of meeting in Iron River, Wisconsin. Surveyors from Ashland traveled west about ten miles and pitched their campsite. They noted the position in their log books and began surveying east and west from that location. One day the surveyors returned to their campsite to find it in shambles, with all the food gone and their tents torn to shreds. The first words their Indian guide said were “Mishe Moquah,” meaning the big bear had been there. After that incident all the surveyors on the line referred to that spot as Moquah, so therefore the new village was named Moquah.

The first permanent house built in the Moquah area was the Wilmer Wesche house, built in 1904. The house also served as a store, post office and a church. The Wesche’s also built a barn, a sawmill and other outbuildings, including the first school in Moquah. Wesche farmed in Moquah until 1912 when he moved away, leaving his farm to his sons who in time sold parcels of this land to some of the new settlers.

Beginning in 1910 many settlers and homesteaders came to this area and therefore many small homes and farms were built, some of which are still standing today.

The village of Moquah was dedicated on August 15, 1912, by the governor of the state of Wisconsin, Francis McGovern and by 1940 there were over sixty-five farms in the Town of Pilsen.

### Topography

The Town of Pilsen is unusual in that it is three miles wide by twelve miles long, instead of the standard square township. The topography has been formed by the last glacial epoch, known as the Wisconsin stage, and the subsequent erosion. The glaciers left Wisconsin about 10,000 years ago. Much of the eastern third of the Town, the area dominated historically by dairy farming, is the bed of an old glacial lake. The red clay was deposited as outwash in that lake by the melting glaciers. There are a number of small lakes, and some streams with the largest being Fish Creek in the far southeast corner of the Town. The soils are mainly sandy in the western part and clay in the eastern. This is reflected by the fact that the western part of the Town is largely forested and lies within the

Chequamegon National Forest. Nearly 67% (sixty-seven) of the Town of Pilsen is within the boundaries of the Chequamegon National Forest. Elevations above sea level range from over 1,200 feet above mean sea level in the western end to about 670 feet above sea level at Fish Creek in the southeast.

## Soils

The soils present in the Town of Pilsen are the result of the last epoch of continental glaciation, referred to as the Wisconsin Stage, and the intervening 10,000 years of weathering, erosion and plant growth. In some areas of Bayfield County these glacial deposits are as much as 300 feet deep over the underlying bedrock.<sup>1</sup> The soils in the eastern one-third of the Town are comprised of soils that have developed on fine-textured sediments of former glacial lakes. Red or reddish-brown clay is the dominant material. The upper layer is generally a silt loam, which probably resulted from (1) the removal of fine clay from the surface downward as a part of the soil-forming process, and (2) the deposition of silt and very fine sand along the shores as the lake waters receded.

Primarily, the relief is nearly level to gently rolling with soils that are well suited to agriculture because of its suitability for grass and hay for dairy farming. Much of the area was cleared and was used for dairy farming. The original timber was mostly white pine but also contained some northern red oak, maple, white and yellow birch, and hemlock. Scattered growths of ash and alder also occurred in the wetter areas. These clay soils need surface drainage and erosion control.<sup>2</sup>

With this area there are V-shaped drainages entrenched in the lake plain as a result of stream erosion. Many of the drainage ways have cut to a depth ranging from 25 to 75 feet and occupy a considerable acreage. The composition is mainly clay or silty clay with little or no soil development. In places, vegetation is established on these steep slopes but in other places, the areas are almost entirely raw clay because of slippage.

The western two-thirds of the Town is covered by soils that are comprised primarily of sand that is a result of outwash from the glaciers. These areas typically are rolling to hilly and steep with slopes of 8 to 18 percent to as much as 40 percent. These soils are poorly suited to agriculture due to low capacity to hold moisture, low fertility and strong acidity. The most suitable use for these areas is forestry and recreation.<sup>3</sup>

The native vegetation of Pilsen Town is very different from what it is today. Heavier soils would have been dominated by white spruce, balsam fir, tamarack and white cedar. This conifer community would have dominated the heavier soils in the township where fields and pasture dominate today. On the courser soils, white and red pine would have dominated with red oaks, birch and aspen in canopy gaps and post disturbance (e.g., fires, wind, budworm). On the coarsest soils jack pine, savanna habitat and heath barrens would have dominated.

Much of the current vegetation today results from the cutover at the turn of the last century. Pines were cut first followed by hardwoods. Following the cutover, land was settled and cultivated for family farms. Farming history (see History section) has been the second most important factor influencing the landscape in the Town of Pilsen. Though this land type is not native to the Bayfield peninsula it may be important habitat for declining grassland bird populations. However, it is not known how important these fields are to maintaining grassland bird populations because most fields are cut annually before nestlings have fledged. Maintaining the “pastoral look” of the town was important to respondents in our land use survey. However, if there was a way to maintain the fields as open grasslands and free land owners of a change in tax status if they cut their fields on longer rotations, we would have more positive impact on grassland birds. Additionally, sharp-tailed grouse could colonize the fields of the Moquah valley. There is a population in the nearby Moquah Barrens

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<sup>1</sup> Bayfield County Wisconsin Reconnaissance Soil Survey, Series 1939, No. 30, Issued April 1961, United States Department of Agriculture, p. 4.

<sup>2</sup> Ibid., p. 27-28.

<sup>3</sup> Ibid., p. 21.

and dispersers would have a good mix of spring breeding cover, nesting and winter cover juxtaposed. Land use changes in the Moquah Valley that changed the pastoral cover type to development would degrade the quality of sharp-tail and grassland bird habitat.

## Water Resources

Water resources in the Town consist of surface water: lakes and ponds, rivers and creeks, and ground water. The eastern one third of the Town is drained by Pine Creek and several tributary streams which flow into the north branch of Fish Creek, both of which are Class I trout streams. The water then continues on to empty into Chequamegon Bay. The western half of the Town contains several small lakes, the most notable being the northern half of Spider Lake and Twin Lakes. The following table gives comparative data for the largest lakes in the Town of Pilsen.

<b>Name</b>	<b>area (in acres)</b>	<b>depth</b>
Spider lake	75	23
Twin lakes	no data	no data
Sawdust lake	17	36
Mirror lake	13	48

The Moquah Barrens area and Orienta-Ogemaw and Superior-Ogemaw and Vilas-Omega soils (course to medium sands) serve as catchment area for ground water. Most water wells in the Town draw their water from these sands, which underlay the clay soils in the Pine Creek valley. Water percolates through these soils quickly and thus is vulnerable to contamination. Land use planning should protect this groundwater recharge area for Pilsen Township.

## Wetlands

Wetlands are variably distributed throughout and cover a relatively small area in the Town of Pilsen. In the eastern half, wetlands form in low-lying areas of clay soils. In the western portion of the Town wetlands lie in the bottom of kettles where they reach the water table or have impermeable sediments in the bottom. According to the 2003 Bayfield County Real Estate Valuation statement, the swamp and waste land use class (which is mostly wetlands) constituted only 1.3 percent, or approximately 297 acres of the land area in the Town.

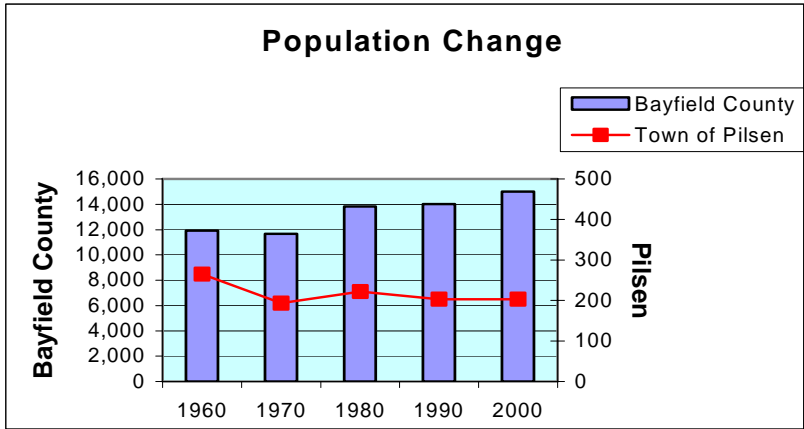
## Woodlands

The Town of Pilsen has a total of 22,755.9 acres. Of this over 81%, or 18,456 acres are woodlands, including 15,155 acres in federal forest, 3,099 acres in private forest, and 197 acres in state forest.

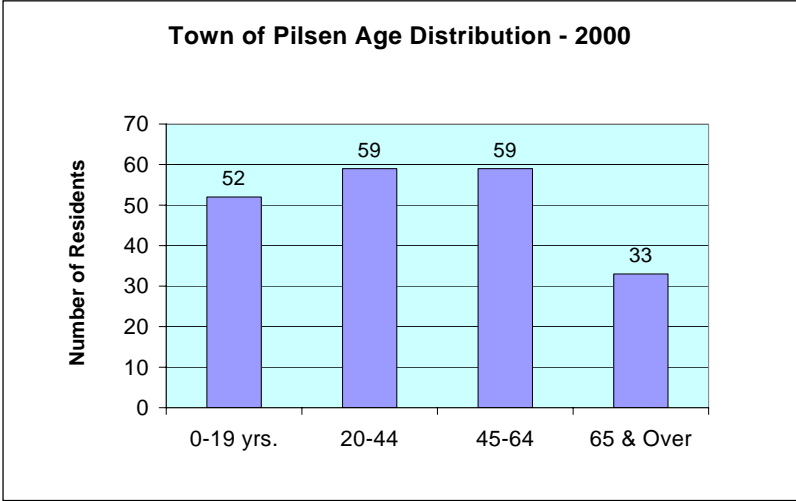
## Population

According to the Wisconsin Department of Administration's official population figures, the Town of Pilsen's population in 2000 was 203. The Town's population declined from 265 in 1960 to 193 in 1970, and then increased to 222 in 1980, only to decrease again to 203 in 1990.

During this same time period, Bayfield County's population experienced a decline from 11,910 in 1960 to 11,683 in 1970, and then began to grow, up significantly to 13,822 in 1980 and continuing the trend to 14,008 in 1990. The County's 2000 population was 15,013 according to the Wisconsin Department of Administration's official numbers.



Persons 19 years of age and younger numbered 52, constituting 25.6 percent of the Town of Pilsen's population in 2000. The 20 to 44 age group and 45 to 64 age category each had 59 residents and each made up 29.1 percent of the Town's population, respectively. Those 65 years of age and older totaled 33 and represented 16.2 percent of the Town's 2000 population. According to the 2000 census, the median age of the Town of Pilsen was 43.9 years.



**Households**

There were 84 households in the Town of Pilsen in 2000. Of these, 59 households, or 70.2 percent were characterized as family households and 25, or 29.8 percent were non-family households. The average family size in the Town of Pilsen in 2000 was 2.93 people and 26.2 percent of the households in the Town had children under age 18. Thirty-two percent of the households had one or more persons age 65 or over.

## Income

The 1999 median household income, average household income and per capita income in the Town of Pilsen were \$45,000, \$46,849 and \$17,895, respectively. A comparison with incomes for Bayfield County and Wisconsin is shown in the following table.

Household & Per Capita Incomes 1999

	Median Household Income	Average Household Income	Per Capita Income
Town of Pilsen	\$45,000	\$46,849	\$17,895
Bayfield County	\$20,666	\$25,048	\$9,933
State of Wisconsin	\$29,442	\$35,180	\$13,276

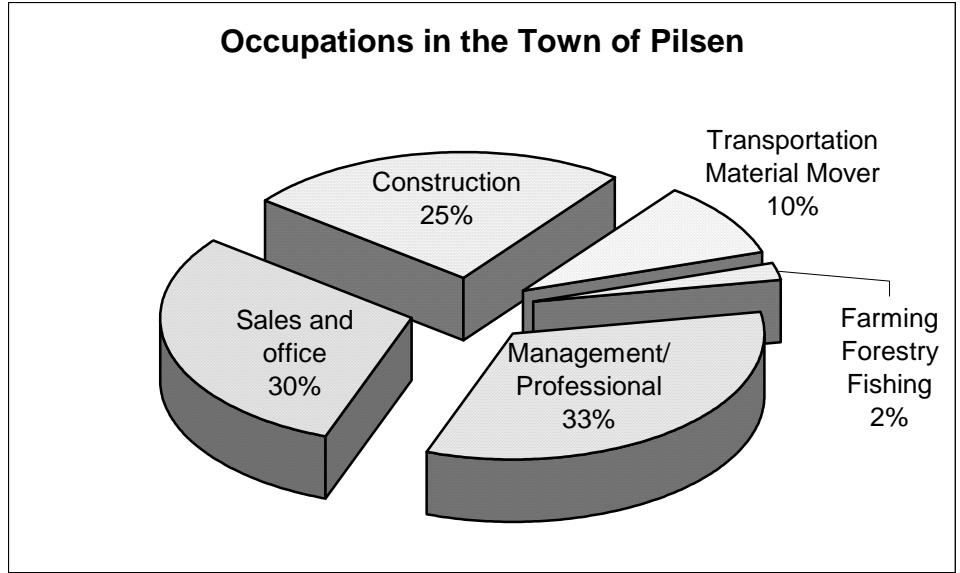
## Employment

According to the 2000 census the total civilian labor force in the Town of Pilsen was 99. Of this total, 61.6 percent were male and 38.4 percent were female. During 2000, 93 persons were employed and 6 persons, or 6.1 percent of the civilian labor force, were unemployed.

The Town of Pilsen's labor force contained relatively high employment in management, professional and related jobs, sales and office occupations and construction. In 2000, 33.3 percent of the Town's employed worked in a management or professional occupation, while another 30.1 percent held jobs in sales or office positions. Persons employed in construction work constituted 24.7 percent of the total workforce.

Town of Pilsen Employment by Occupation 2000

Occupation	Number Employed	Percent
Management/ Professional	31	33.3
Sales and office	28	30.1
Construction	23	24.7
Transportation/Material Mover	9	9.7
Farming/Forestry/Fishing	2	2.2
Service	0	0
Total	93	100%



### Housing

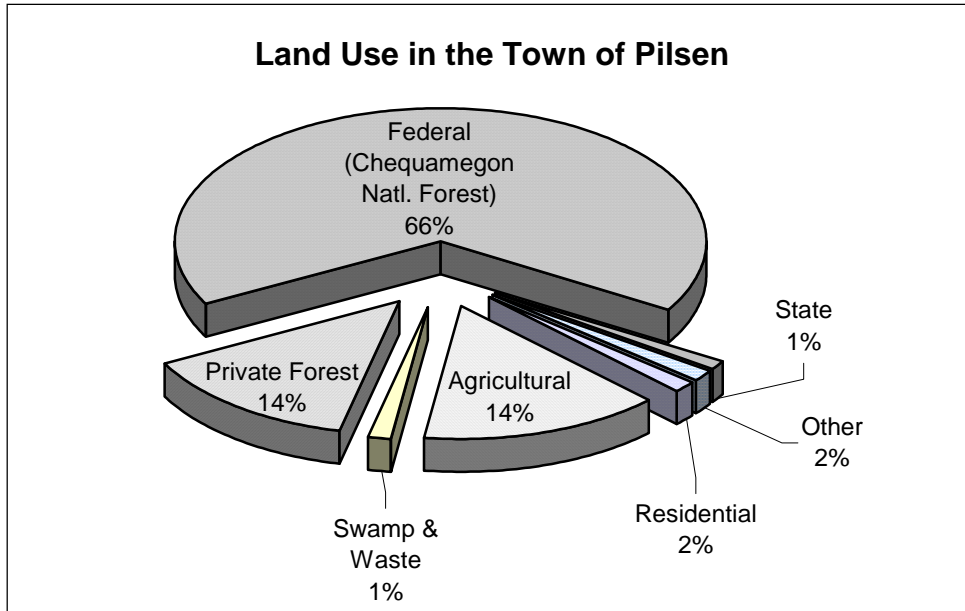
According to the 2000 U.S. Census of Population & Housing there were 87 housing units in the Town of Pilsen, of which 4 units were mobile homes. Of the 87 housing units, 26, or 29.9%, were built before 1940. Twenty units were built during the 1970's and 15 were built during the 1940's. Occupied housing totaled 74 units.

### Land Use

The table below shows a breakdown by acres of the different land classes in the Town of Pilsen based on a 2003 Bayfield County Real Estate Valuation Statement.

Town of Pilsen Land Uses 2003

Class/Use	Acres	Percent
Residential	344	1.5
Commercial	5	0.0
Agricultural	3312	14.6
Swamp & Waste	297	1.3
Forest/Woodlands (Total)	(18,456)	(81.1)
Private Forest	3099	13.6
Federal (mostly Chequamegon National Forest)	15,155	66.6
State	197	0.9
County	5	0.0
Other (includes other tax exempt land)	342	1.5
Total	22,756	100.0



Federal land, primarily Chequamegon National Forest, comprises 66.6 percent of the land in the Town of Pilsen. Agriculture land constitutes the next largest category with 14.6 percent. The third largest land use class, Private Forest, makes up another 13.6. Residential land makes up only about 1.5 percent of the land use in the Town of Pilsen.

During 1999 committee members conducted an “out-the-windshield” field inventory of existing Town land uses. Initially, land uses were identified and categorized into the following seven major classifications: residential, commercial, agricultural, forest/woodlands, recreation, open space and industrial. A municipal land use classification was subsequently added, and the forest/woodlands classification was divided into the following two classifications: woodlands and federal forest. A description of each of these nine land use classifications follows below:

### Agricultural

The Agricultural classification applies to land used in a variety of farming activities, including: dairy, beef, hay, small grains and seed production.

### Residential

The Residential category includes various types of dwelling units. Most dwellings in the Town of Pilsen are single family homes. Other types of housing include: seasonal homes, rental properties and trailer homes.

### Commercial

The Commercial classification in the Town of Pilsen at this time consists of only 5 acres.

### Woodlands

The Woodlands classification includes all wooded and forested land that is not part of the federal forest.

## Federal Forest

All woodlands and forested lands that are part of the federally owned and managed Chequamegon National Forest constitute the Federal Forest classification.

## Recreation

The Recreation category includes the Tri-County Recreational Corridor. There are no parks and no public boat landings in the Town.

## Open Space

The Open Space classification is made up of the lands that are open and not used for other purposes, such as farming, forests, etc.

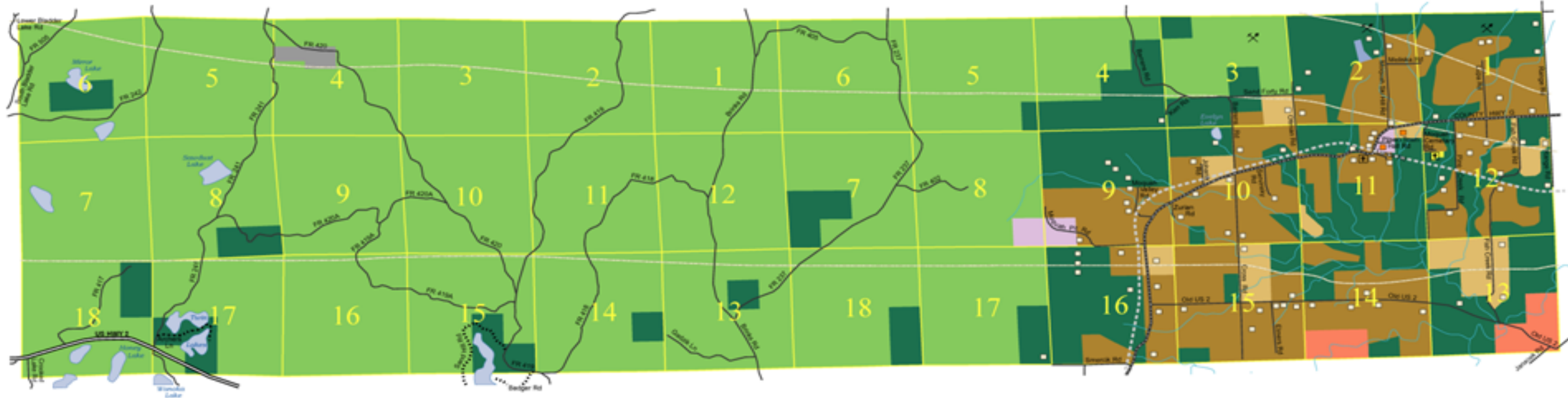
## Industrial

The Industrial category also includes light manufacturing enterprises. The area occupied by the Great Lakes Gas pumping station is the only land classified as industrial. There are currently no manufacturers and no industrial parks in the Town of Pilsen.

## Municipal

This classification includes Town of Pilsen owned facilities. The Town Hall, Town Garage and Town sand pit make up this category. The existing land use patterns in the Town of Pilsen are shown on the map on the next page.

# TOWN OF PILSEN - PRELIMINARY EXISTING LANDUSE MAP



## LEGEND

### Landuse Categories

- Agricultural
- Cemetary
- National Forest
- Industrial
- Municipal
- Open Space
- Recreational
- State Lands
- Woodlands

- Sections

### Roads

- Federal
- County
- Town
- Private

### Pipeline

- Tri-County Corridor

- Church
- Sand & Gravel Pits
- Commercial Buildings
- Residences
- Rivers & Streams
- Lakes

This Preliminary Existing Landuse Map was compiled by the Bayfield County Land Records Department in December, 1999 based on information received from John Grek. This map is subject to change after its review of the Town of Pilsen Ad Hoc Landuse Planning Committee.

## Town of Pilsen Land Use Survey Summary

In order to get community input on future growth and development issues in the Town of Pilsen the Land Use Planning Committee prepared a survey and distributed it to all property owners in October of 1999. A total of 110 surveys were completed and returned out of 153 that were mailed for an exceptionally good 72% response rate.

Of the respondents, 58.3% were year-round residents, 33.3% were non-resident land owners and 8.4% were seasonal residents. Over 52% of those surveyed have owned property in the Town of Pilsen for over 20 years with an additional 19% having owned property for between 10 and 20 years. More than one third, 34.5%, characterized themselves as retired, while an additional 21% reported themselves as skilled workers and only 4.4% as farm workers.

Private property in the Town of Pilsen was reported on the survey as 40% woodland and 29% agriculture. The remainder consisted of recreational, residential and open or other.

The following stood out as notable results:

- 89% thought it was important to preserve and protect the unique characteristics and natural resources of the Town.
- 67% favored using zoning and/or ordinances to help implement a land use plan.
- 62% said commercial recreational development (resorts, golf courses, etc.) should NOT be encouraged in the Town.
- 57% thought it was important to preserve land that is currently or historically been in productive farm use and protect it from non-farm development.
- 45% set the minimum acreage for a residence at 5 acres, while another 26% said 10 acres.
- 80% opposed the unlimited use of commercial signs in the Town.
- 76% would place restrictions on the number of disabled/unlicensed vehicles allowed per residence and another 71% would place restrictions on equipment or materials that would create an unsightly appearance.
- 72% wanted restrictions such as minimum size, maximum age and condition on mobile homes and 66% would not allow a mobile home park in the Town.
- When asked what kind of business development would be favored along County Highway "G", 41% responded with "No opinion".

Complete survey results and selected comments are contained in the Appendix.

## Goals and Objectives

The Town of Pilsen Land Use Planning Committee used results from our land use survey to select those questions and comments that generated high levels of interest from respondents. We divided the issues into Land and non-Land and then we went over each one in detail. We used this technique to develop a set of Goals and Objectives for our Land Use Plan. The following table shows the areas of interest as determined from the survey.

<b>Land</b>	<b>Non-Land</b>
Minimum Parcel Size	Personal Property
Zoning	Mobile Home Parks
Commercial property	Mobile Home size and condition
Natural Resources	Junk vehicles
Corporate Farming	Signs
Commercial Recreational Dev.	Ordinances
County Hwy 'G' Corridor	Small-lot subdivisions
Industrial property	Large-lot subdivisions
	Building size and materials
	Lighting

### **Goal — Adopt a means of enforcement for the Land Use Plan.**

#### **Objectives:**

- County Zoning should be adopted as soon as possible.
- Encourage uniform and fair employment of good land use practices that promote neighborly attitudes among the citizens of the Town.

### **Goal — Maintain our quality of life and allow for sustainable growth.**

#### **Objectives:**

- Balance individual property rights with community interests.
- New development should not negatively affect the value of property or livability of neighboring properties.
- Discourage conflicting land uses.
- Develop site control standards for commercial and industrial development.
- Investigate adoption of exterior lighting and noise standards.
- Restrict industrial development to non-polluting light industry.
- Maintain scale of development that is consistent with adjacent land uses.
- Recognize, welcome, and condone household occupations (defined by county zoning)

**Goal — Preserve the rural character of the Town of Pilsen.**

**Objectives:**

- Minimize scattered development and conflicting land uses without discouraging development.
- Designate areas desirable for development as well as non-desirable areas for development.
- Minimize development along County Highway G. Preserve this corridor's aesthetic appearance through setbacks, vegetative screening, and architectural standards.
- Develop a signage ordinance.

**Goal — Encourage residential development that is compatible with the rural character of the community.**

**Objectives:**

- Prohibit the establishment of trailer home parks.
- Discourage the development of condominiums, and multi-family residential structures.
- Encourage single-family residences.
- Maintain a minimum of five acres for home lot sizes.
- Discourage fragmentation of large parcels of land by limiting single family dwellings to four per 40 acre parcel.

**Goal — Protect the natural resources in the Town of Pilsen.**

**Objectives:**

- Promote Best Management Practices (BMP's) for town, county, and private forests, especially near scenic corridors and within ¼ mile of wetlands, streams, and lakeshores.
- Use sound soil conservation practices to minimize soil erosion.
- Require that mineral resource extraction activities have a reclamation plan.
- Discourage development in or near wetlands, desirable (scenic) open spaces, prime forest areas, and historic sites.
- Encourage clustered development where appropriate to allow for large tracts of undisturbed natural areas.
- New developments will be prohibited from areas deemed unsafe or unsuitable due to natural hazards, contamination, access, or problems of incompatibility.
- Preserve and protect the public woodlands and waterways in continued partnership with county and federal entities.
- Ask federal forestry officials to notify Town authorities about land sales or changes in land use designation. National Forest officials should be encouraged not to sell land and not to change cover types dramatically.

**Goal — Encourage business that is compatible with the rural character of the Town of Pilsen.**

**Objectives:**

- Encourage home-based business.
- Encourage businesses that would have minimum environmental impact on land use and adjacent land uses.
- Discourage heavy industry in the Town.
- Prohibit commercial landfills in the Town.
- Discourage development of oil and/or gas wells.
- Encourage vegetative screening of commercial and industrial developments.
- Keep new commercial developments centralized in or near the existing services or adjacent to other existing commercial areas to create a distinct community rather than conventional strip highway development.

**Goal — Ensure an effective and continued public-input based land use planning process.**

**Objectives:**

- Encourage public participation in land use planning and decision making in the Town of Pilsen.
- Provide a process for public input on land use planning and land use decisions so decisions reflect the best interest and will of the public.
- Provide continuing public review and a public-based amendatory process to the land use plan **at least every five (5) years.**

**Goal— Encourage the protection of existing productive agricultural land in the town.**

**Objectives:**

- Identify the town's prime farmland areas.
- Discourage conversion of prime farmland to nonagricultural use.
- Encourage use of idle farmland for agricultural purposes or wildlife habitat.
- Encourage non-traditional agricultural endeavors.
- Encourage sound soil and water conservation practices.
- Promote participation in the Farmland Preservation Program.

**Goal— Provide appropriate recreational opportunities in the town.**

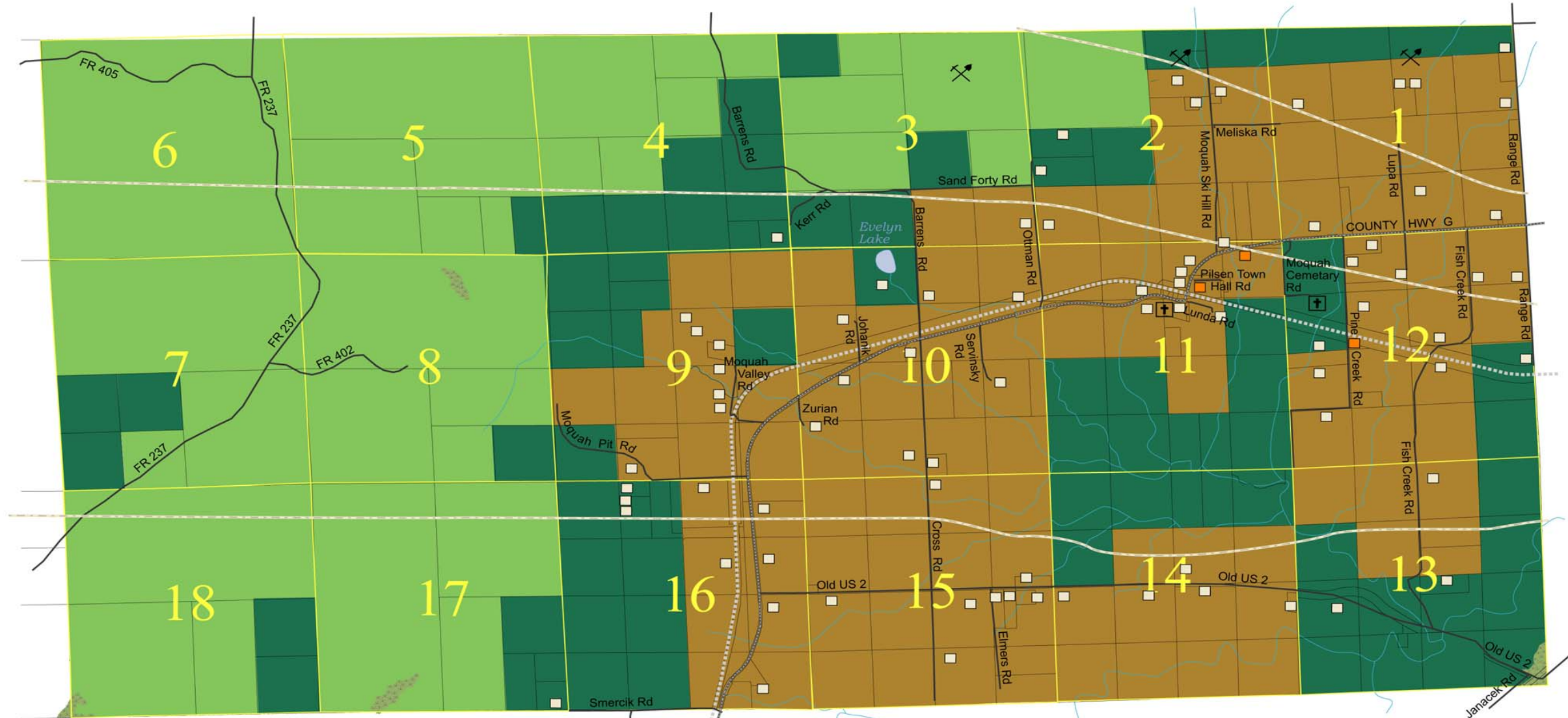
**Objectives:**

- Support development of recreational trails.
- Investigate the possibility of creating and maintaining a system of snowmobile and ATV trails.
- Encourage use of recreational trails and areas in the Chequamegon National Forest.
- Identify sites suitable for recreational uses that are consistent with maintaining the Town's rural character.
- If existing trail closures occur, attempt to provide alternate means to access established trails.
- Prohibit development of large commercial recreational establishments such as golf courses, theme parks and other similar types of commercial recreational enterprises.
- Restrict development of small commercial recreational business that would adversely impact the traditional rural, farming character of the Town of Pilsen.

## **Proposed Land Use Maps**

The proposed land use maps for the Town of Pilsen on the following pages depict an outline for the future land uses in the Town. Using the goals and objectives listed above, the Town of Pilsen land use planning committee reviewed existing land use patterns in the Town and proceeded to identify areas that would be appropriate for the various types of land use in the future. The maps has not changed significantly from the existing land use map because we have made an effort to maintain the rural character of the Town of Pilsen, per the wishes of the majority of responses in our land use survey.

# TOWN OF PILSEN - PROPOSED LAND USE MAP EASTERN HALF

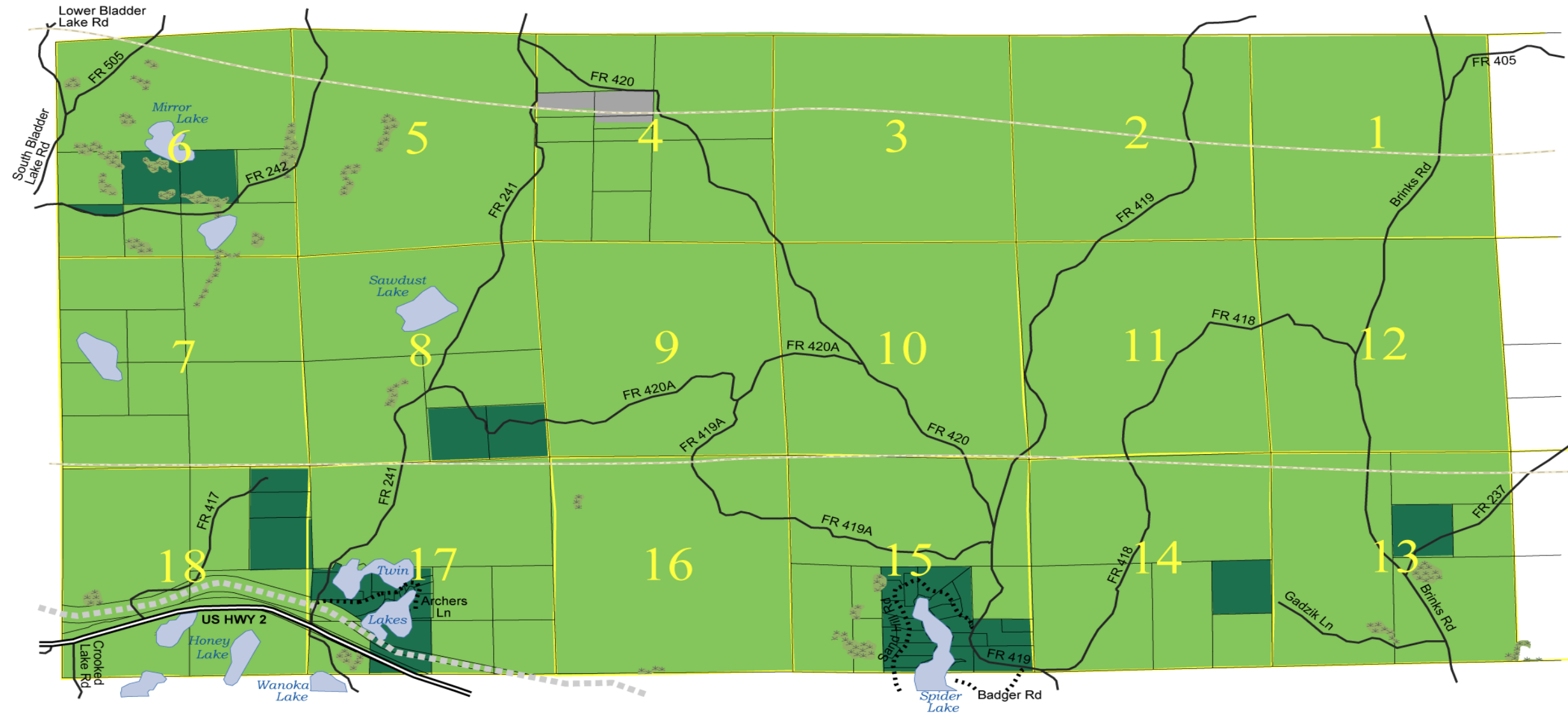


## LEGEND

Landuse Categories	
	Agricultural
	Forestry
	National Forest
Roads	
	Federal
	County
	Town
	Private
	Sections
	Pipeline
	Tri-County Corridor
	Church
	Sand & Gravel Pits
	Commercial Buildings
	Residences
	Rivers & Streams
	Lakes
	Wetlands
	Parcels

This Proposed Land Use Map was compiled by the Bayfield County Land Records Department in September 2001 (revised in October 2001, March 2001 and July 2002) based on information generated and provided by the ad hoc Town of Pilsen Land Use Planning Committee.

# TOWN OF PILSEN - PROPOSED LAND USE MAP WESTERN HALF



This Proposed Land Use Map was compiled by the Bayfield County Land Records Department in September 2001 (revised in October 2001, March 2001 and July 2002) based on information generated and provided by the ad hoc Town of Pilsen Land Use Planning Committee.

## LEGEND

Landuse Categories	
Industrial	Pipeline
Forestry	Tri-County Corridor
National Forest	Church
Federal Roads	Sand & Gravel Pits
County Roads	Commercial Buildings
Town Roads	Residences
Private Roads	Rivers & Streams
Sections	Lakes
Parcels	Wetlands

## Recommendations

Although a community's land use plan is advisory in nature, achievement of its goals and objectives will require implementation by a variety of tools. Some of these are regulatory (zoning), while others fit into the non-regulatory information category. Tools such as monitoring of trends and issues, public education, openness to citizen input, to name just a few, are an important part of the overall plan implementation process.

The following recommendations are made to help implement the Town of Pilsen Land Use Plan:

Town Decision Making. It is imperative that the Town Board not only adopt the plan, but also refer to it and use it as a guide when making decisions that affect development in the Town.

County Decision Making. The Bayfield County Board, County Zoning Committee and County Zoning Administrator should all be aware of the Town's land use plan and refer to it and use it as a guide when making decisions involving development in the Town.

Zoning Ordinance. Of all the tools available for implementing the Town of Pilsen's land use plan, the Bayfield County Zoning Ordinance is one of the most important. This ordinance regulates the type and location of various land uses. It should be reviewed and revised, if necessary, to insure consistency with the Town's land use plan.

Overlay District. Investigate the possibility of setting up an overlay district for the Town to meet our specific requirements.

Citizen Participation and Education. An informed citizenry is also important to successful implementation of the plan. Citizens of the Town should be made aware of the plan and its contents through public information meetings and the media. Copies of the Town's land use plan should be readily available. In addition, the Town should host periodic education programs/public information meetings on community planning issues, and to update the community on how the plan is working, and when major development proposals are being considered.

Site Plan and Design Review. The use of a design review ordinance can be an effective tool in requiring certain desirable aesthetic components to be considered in proposed developments. In general, such aesthetics often include building design and materials, landscape buffers, landscape plantings, exterior lighting and signage. A typical design review ordinance may require a detailed site plan with architectural drawings showing facades of structures and plans for plantings, landscaping and signage.

Creative Development. Encourage developers to use cluster development (Planned Unit Development) and other creative development practices where appropriate.

Other Land Use Management Tools. Consideration should be given to means by which the rural character of the Town of Pilsen can be preserved for future generations. Such preservation received 89 percent approval in the survey sent to property owners in the Town. There are many tools available to help achieve such a goal. To name only a few that should be considered are the following: conservation easements, purchase of development rights, direct land purchases and exclusive agricultural zoning.

Implementing the Town of Pilsen Land Use Plan should be an ongoing process. The plan should be used as a guide to review proposed developments and land use changes that will occur over time in the Town. In addition, the plan should be viewed as a practical evolving document that is periodically reviewed and updated.

# Appendix

## Town of Pilsen Land Use Survey Results

Total questionnaires mailed – 153

Total responses – 110

Percentage – 72%

Please have one person from your residence take a few minutes to give us your household's opinion on a number of Town land use issues by completing this survey. Return it using the enclosed prepaid envelope. Please return this survey no later than September 1st, 1999. This is a confidential survey and it is not necessary to sign your name.

Check only one response for each question.

1. How long have you owned property in the Town of Pilsen?  
13% less than 3 years    15% 3 to 9 years  
19% 10 to 20 year    53% more than 20 years
2. Are you a 58% year-round resident 8% seasonal resident 34% non-resident property owner?
3. What is your primary occupation?  
5% farming                                    9% managerial/administrative  
7% sales                                        14% professional  
21% skilled laborer/trade    35% retired  
4% service                                    6% other \_\_\_\_\_ .  
(please specify)
4. What would you say is the primary use or uses of your land currently? Please indicate the approximate number of acres of each type. (enter all that apply)  
29% agriculture                    8% residential    0% commercial  
40% woodland                    12% recreational    11% open/other
5. Would you favor clustering of future residential development (e.g., 1 to 2 acres homesites) in the Town of Pilsen to conserve open space and allow for the efficient installation of public services (roads, utilities, etc.)?  
29% yes            50% no    21% no opinion
6. Would you allow or encourage development of a planned residential community of larger size lots (more than 10 acres) in the Town of Pilsen?  
37% yes            35% no    28% no opinion
7. Do you think that it is important to preserve land that is currently or historically in productive farm use from non-farm development?  
57% yes            20% no    22% no opinion
8. Should public recreational development (e.g., parks, trails, boat landings, etc.) be encouraged in the Town of Pilsen?  
49% yes            42% no    8% no opinion
9. Should commercial recreational development (e.g., resorts, golf courses, etc.) be encouraged in the Town of Pilsen?  
27% yes            62% no    11% no opinion

10. Should more residential development be encouraged in the Town of Pilsen?  
32% yes    45% no    23% no opinion
11. Would you favor the development of more second homes (part-year residences) in the Town of Pilsen?  
32% yes    45% no    23% no opinion
12. Should minimum requirements (square footage, building materials, etc.) be placed on residences that can be built in the town of Pilsen?  
51% yes    36% no    13% no opinion
13. What should be the minimum acreage for a residence in the Town of Pilsen?  
16% 1    46% 5    25% 10    12% 20 or more
14. Should commercial development (for example, retail stores or shops) be encouraged in the Town of Pilsen?  
44% yes    37% no    19% no opinion
15. Should the Town of Pilsen designate certain areas as commercial only.  
57% yes    27% no    16% no opinion
16. Should light industrial development (e.g., manufacturing) be encouraged in the Town of Pilsen?  
42% yes    40% no    18% no opinion
17. What kind of business development pattern, if any, would you favor along County Hwy 'G'?  
11% High density cluster    21% Single business  
28% no additional development    40% no opinion
18. Do you think it is important to preserve and protect the unique characteristics and natural resources (woodlands, wetlands, waterways, etc.) of the Town of Pilsen?  
89% yes    3% no    8% no opinion
19. Do you favor using local ordinances or zoning to help implement a land use plan for the Town of Pilsen?  
67% yes    11% no    7% both    15% no opinion
20. Do you think the Town of Pilsen should have an ordinance limiting the use of large commercial signs for advertising?  
80% yes    8% no    12% no opinion
21. Would you allow mobile home parks in the Town of Pilsen?  
21% yes    65% no    14% no opinion
22. Would you place restrictions on mobile homes, such as minimum size, age or condition?  
72% yes    12% no    16% no opinion
23. Would you place restrictions on the establishment of large corporate farming operations, such as a minimum acreage per animal, in the Town of Pilsen?  
43% yes    21% no    36% no opinion
24. Would you place restrictions on the number of disabled/non-operating/unlicensed vehicles allowed per residence that are not housed in a garage or shed?  
75% yes    18% no    7% no opinion
25. Would you place restrictions on equipment or materials on private property that would create an unsightly appearance?  
70% yes    20% no    10% no opinion

26. Would you allow or encourage development of a gambling casino in the Town of Pilsen?  
13% yes    80% no    7% no opinion
27. Would you allow or encourage development of video poker machines in taverns in the Town of Pilsen?  
18% yes    64% no    18% no opinion
28. Do you think the population of the Town of Pilsen is:  
61% about right    32% should be larger    7% should be smaller
29. Do you think the Town should adopt a set of goals, objectives and policies (i.e., a land use plan) to guide decisions affecting future growth and development in the Town of Pilsen?  
74% yes    10% no    16% no opinion
30. Which characteristics of the Town are important to maintain for future years? (please specify)
- 
- 
31. Do you have any other comments relating to land use issues that you wish to make?
- 
- 

THANK YOU for your time!

## Pilsen Land Use Survey Comments

*Note: The notation used for each comment below is as follows; the first part, e.g. J-1, identifies which survey the comment came from. (Surveys were anonymous and were numbered in the order they were tabulated.) The number in parentheses is the question number from the survey to which the comment pertains.*

J-1. (31) The town board should implement a zoning ordinance as soon as possible. Use Bayfield Zoning ordinance as a model.

J-2. (21) Providing the town board formulates an ordinance to regulate same.

(30) To preserve the natural beauty of the valley. The streams and the outer perimeter of the hills.

(31) Whatever is done should be done with enhancing the beauty of the area kept in mind!

J-6. (13) Unless group sanitation and other utilities.

(30) Safe/secure neighborhoods. Clean air/water.

(31) Properties that are to be improved should be inspected and any plant or wild life that is unique should be relocated to another similar area where it will survive. The cost of relocation should be the current owner whom wants improvements to his property.

J-8. (30) Private homes and farming.

(31) That every land owner take reasonable pride and care of their land.

J-10. (30) Maintain lake quality.

J-11. (30) I think we are doing OK right now.

J-12. (30) Small and close knit community.

J-13. (5) Minimum lot sizes should be 30 acres.

(6) More than 30 acres.

(30) Maintain agriculture/rural setting. Restrict development such as industrial, subdivision, trailer parks. Maintain residential setting with 20 + acres or more. Set guidelines for age of trailers, amount of unused cars or equipment allowed on a property, etc.

(31) It is important to set guidelines for present and future growth: Many areas of this state have become overly and poorly developed and zoning and guidelines were not made or written too late. This is a unique opportunity to maintain the quality of the rural/agricultural and residential community that the town of Pilsen has. Adapting county zoning, shoreline ordinances and creating our own guidelines will help maintain the high quality of living that presently exists.

J-14. (30) Creeks - roads including barrens, lakes – buildings such as church, former cheese factory, places of business, town hall.

(31) Don't force residents to make changes that are unrealistic and unaffordable.

J-16. (30) Rural atmosphere.

(31) We are already under Bayfield Co. zoning, that's enough.

J-17. (21) Mobile homes need electrical power, water, garbage disposal, police and a lot more which you should consider.

(23) I don't think the large corporate farm is concerned about the land or anything else, but the bottom line. Example of those operators are these hog farms which contaminate water and the rest.

(30) The environment/quality of air/water education regarding the importance of these things, not only for the present, but for the future. I'm sure you are aware of the power failure we've been having here in Chicago, the energy needed to run any kind of business, etc, the computer, etc, and its impact – when you bring in more people into a community, electrical needs, garbage created and the rest.

(31) Plant trees. And thinking of trees, we are losing about 1000 trees to the beetle which come from China in packing cases, etc, and I am reading in the paper, that they\* are doing or considering to do, bottling water from Lake Superior and sending it to China and are the people in the area aware of this. I don't think so. \*They refer to an organization, the name of which I can't recall. This is from an item in the Chicago paper, a short item, I might add, lost in the paper among other news which may be the way they want to print an item such as this, because a lot of people will never read it. I have you can read this.

J-21. (5) I would favor homeowners having a little more land.

(7) IF the owner can afford it.

(10) In moderation.

(30) Still keep a rural appearance rows of gas stations, industrial buildings, billboards, etc.

(31) The natural and rural resources are an asset; if development is encouraged, I would rather see nature trails than service stations.

J-23. (30) Keep it a small, clean and peaceful town.

(31) It would be nice to have a place for a school here in the future.

J-24. (30) Some of the historical buildings. Woodland beauty.

J-25. (31) If all land now open will be built up for recreation, commercial or residential we no longer will have a nice, peaceful place and might as well live in the city. It is a beautiful place to live now.

J-26. (20) This should be everywhere.

(21) Manufactured homes only with a certain amount of property, 2 to 3 acres.

(22) Roof pitch and condition. Is it to the code of Township.

(23) You have to have enough acreage to take care of animals properly.

B-2. (30) Small town atmosphere, privacy, recreational freedoms, peace and quiet.

B-3. (30) It is a “country” setting, let it stay that way.

(31) People should be able to do what they want with their land. Please don’t turn it into another “city” full of red tape. We are against zoning and restrictions.

B-4. (31) We are new residents to the Town of Pilsen, but not to the Bay. I feel we are very educated about land use planning issues from a regional standpoint, but very uneducated about those affecting the Town of Pilsen. Many of the questions asked are pertinent in developing a land use plan, but are difficult to answer not knowing the issues, economics and sociology of Town of Pilsen. We hope to become involved in the land use planning process as we are confident in becoming long term residents.

B-5. (30) Minimum land use or development.

B-7. (30) Open spaces and few people that give it a homey feel. I do not like the idea of large numbers of homes on every pond, such as Spider Lake.

B-8. (30) No zoning

(31) Give current residents “Grandfather rights” options on any new laws.

B-11. (31) What we should fear is the powers of DNR and their policies planting fishers, timber wolf, elk and allowing bear dogs on private property, etc.

B-13. (30) It’s beautiful country. We would like to see it remain that way if possible.

B-14. (30) Farmland.

B-19. (30) The wide open spaces and trails that are available for biking, motorcycles, ATV’s. Those trails are self-maintained, but I suppose they will be closed off as more of the public moves in.

C-4. (30) Try to keep a small rural lifestyle. Development will come faster than most residents would like anyway; there is no need to encourage it.

C-4. (31) When making restrictions don’t go overboard, use common sense. A few well thought out, enforceable ideas will work, being very restrictive and uncooperative will upset residents and be costly.

C-5. (30) Try and keep Pilsen as a caring community of friends and neighbors.

C-9. (30) The spacing of the houses, the quaintness of the community, the amount of wooded land. It is nice to look out your windows and be able to see wildlife and farm animals instead of a house right next to yours.

C-9. (31) We don’t need any commercial/industrial buildings out here, leave that for the bigger cities. There should not be limits on the type or size of houses being built, but we don’t need any mobile home parks or housing development communities. It is nice the way it is now with the amount of housing and natural resources. With people always looking to get out of the city, land is at a premium. We should try to keep the country atmosphere and the feeling of a quiet community.

C-12. (30) The small community atmosphere.

C-13. (30) To preserve open spaces for hunting and fishing. To maintain the quiet northern atmosphere.

C-13. (31) To make it more convenient and less stressful to obtain permits for private owners. I have found your system of obtaining permits difficult and inconvenient.

C-14. (30) The farm and country like feeling you get living here. It is a nice place to live. If you let to many things develop here, we will lose that feeling and it will become like living in town. Keep it the way it is. It is beautiful here. Just wish the roads were paved.

C-14. (31) Do not think anybody should have the right to tell another person that owns their land what they can do and not do.

C-17. (30) Mobile homes should be restricted on 10 acres minimum

C-17. (31) Junk yards: some type of restrictions in people's yards or ordinance.

C-18. (30) Land use planning is the only way to go; you can still preserve what is valued by local residents and prevent detrimental changes brought on by selfish special interest people. It is mandatory in other parts of the country and should be up here as well.

C-20. (30) Country living style should be kept, mainly larger lots. Have to increase tax base to improve roads.

C-20. (31) Industrial development should be out of sight from Cty G and all together. Industry pays taxes that keep up roads. We need blacktop.

C-21. (30) Keep your nose out of personal land use. This is not Russia or Cuba. Keep garage sale signs off main roads.

C-21. (31) did you forget about how close you can build to a stream? Not a word about streams.

M-1. (30) The recreational potential of the area and maintenance of the undeveloped areas should be developed and encouraged. The large natural areas are a wonderful asset and attraction. I believe the residential and commercial aspects of the areas development can be encouraged without destroying or significantly impacting its natural beauty.

M-1. (31) Casinos would bring a lot of people and money to the area. If residential taxes increase as a result, however, the area will deteriorate. This and the many other factors associated with gambling must be controlled so as to bring benefit to the area and not downgrade it. I suggest careful study of many gambling casino areas of the county before pursuing this method of economic development.

M-2. (30) Limit growth.

M-3. (30) My opinion is to encourage more residents to increase the town's valuation and lower our taxes.

M-4. (30) Small close knit community

M-4. (31) Our ancestors taught some of us love of the land with farming, hunting, fishing. They taught us that greed or the need to force our ideas on other people was wrong. If your neighbor needs help, help him, otherwise keep you nose out of his business.

M-5. (30) Small rural agricultural landscape with access to exceptional recreation land. Open spaces, both agricultural, woodlots and more wildlands. Pilsen is very desirable as it is. The value of land increases as these spaces are occupied elsewhere. Encouragement of commercial and residential growth will overburden these unique landscape attributes.

M-5. (31) Conserve the open space and preserve the important natural resources, historic landmarks, barns and agricultural heritage.

M-6. (30) Maintain close knit community feelings. Less influence on community operations and organizations from outside community.

M-7. (30) Town hall, historical marker, catholic church, would favor the gravel pit, garbage disposal be reopened.

M-11. (30) The natural beauty and privacy, preserve the rivers, keep the roads maintained, clean up the actual Moquah area. Get after . . . . . to clean up his unsightly areas, we'd rather look at an operating farm and manure piles than his beat up junk. It really is a let down to come into that pretty little town and see that mess.

M-11. (31) Moquah is a unique and beautiful little area loaded with ethnic history. This could and should be preserved. The heritage society has the right idea about playing up the Town's history. Maybe the Town could incorporate a nice sign in Moquah or in some way add to this the Slovak theme and history of our farms and forefathers.

M-12. (30) Privacy and quietness.

M-13. (30) Large 5 acre lots, clean natural looking lots, lower taxes in future.

M-13. (31) Maintain trails better. More ATV, snowmobile trails.

M-14. (30) Quiet atmosphere and scenery. Less ATV/Snowmobile use and access. Favor small farm, agriculture and timber production. Encourage "best management practices" in agriculture and logging.

M-16. (30) Roads, weed cutting

M-17. (30) Open space, wildlife and fish, watershed health, woodland restoration, family values and safety.

M-17. (31) Minimal residential development should be allowed, but not encouraged on larger acreage (20+). Cluster development and encourage conservation agreements and easements.

M-18. (30) A quaint rural town surrounded by natural unfettered beauty.

M-18. (31) My property is to remain untouched to preserve nature with all its wonders. I'm a dedicated conservationist.

M-19. (30) Snowmobile, cycle, ATV trails and open land use.

M-19. (31) North of FR 242 is closed to snowmobiles that ride on top of snow, not on the ground. Sleds do not damage a barren area and it should be open.

T-4. (30) We need more industry in the area so our children will be able to stay in the area, have a decent paying job, get 10 acres from mom and dad in the Town of Pilsen and build a nice home, and keep some of the younger generation in the home town area.

T-4. (25) only if the material, etc. is up front. If put behind buildings, etc. NO

T-4. (28) We could increase the population slightly based on 10 acres min. per res. It would help our tax base.

T-7. (30) try to keep dairying in the Town if it's possible. Keep the same name of MOQUAH, then continue with the other.

T-8. (30) The Town Hall and surrounding area for the Pilsen residents to use.

T-10. (31) Make building sites 10 acres min. No single wide trailers. If trailer, double wides only to ensure township gets proper property tax. Well and septic a must.

T-15. (30) Keeping Pilsen from being over-developed using a good plan of future growth

T-15. (31) I do not like trailer parks, but know that they are necessary for many people.

T-17. (8) in National Forest

T-18. (30) Woods, few people

T-19. (31) Land and housing codes that don't let people own houses and let them run down to trashy dwellings. Make sure that all new housing has strict codes.

T-20. (31) People shouldn't have junk laying around where it can be seen

**Community Planning Implementation Tools**

A community’s land use plan requires implementation by a variety of tools. Some of these tools are regulatory (e.g., zoning, subdivision review), while others are non-regulatory (e.g., acquisition of property, installation of public improvements). Information “tools” (e.g., monitoring of trends and issues, public education) are important in achieving community objectives because they help ensure that the plan and implementation tools are understood, accepted, and kept up-to-date.

Following are a brief description and statement on applicability concerning

- *regulatory tools*
- *acquisition tools*
- *fiscal tools*
- *privately-initiated tools*

Regulatory Tools	Brief Description	Applicability
<b>General Zoning</b>	General zoning regulates the use of land, lot size, and the height and bulk of structures. It also provides standards for various types of development and construction activities. General zoning is probably the most commonly employed land use tool. Communities are not required to adopt general zoning ordinances.	Cities and villages may adopt general zoning within their borders. They also have authority to establish “extraterritorial” zoning in the adjacent to territory, under the jurisdiction of a joint city or village and town committee, but this is not common. Counties may adopt a general zoning ordinance covering all areas in the county outside cities and villages, but the ordinance is effective in a town only if the town board approves the ordinance. A town may not adopt only a part of the county zoning ordinance. In counties that have a general county zoning ordinance, town zoning is possible only with the agreement of the county board. Town residents may vote to assume “village powers.” The town may then develop a zoning ordinance following the same procedures for cities and villages. The town zoning ordinance, and amendments to it, become effective if approved by the town board and the county board. In counties that have not adopted a county zoning ordinance, a town may assume village powers and enact a town zoning ordinance following the same procedures for cities and villages. In these cases, no county board approval is required. Alternatively, towns may petition the county to adopt a county zoning ordinance. If the county does not adopt a zoning ordinance, the town may adopt its own without having assumed village powers. Exercise of this authority is rare, however, with most towns preferring to exercise town zoning under village powers.

<b>Special Zoning</b>	Wisconsin has several special zoning programs with specific statutory requirements that distinguish them from general zoning. These include exclusive agricultural zoning under the state’s Farmland Preservation Program that gives farmers an income tax credit for working to preserve agricultural areas. Other special zoning programs include floodplain zoning and shoreland zoning.	Cities, villages, and counties are all required to adopt floodplain zoning. Counties are required to adopt shoreland zoning for the towns. County shoreland and floodplain zoning are not subject to approval by the towns. Cities and villages are required to adopt zoning to protect certain wetlands. While the Wisconsin Department of Natural Resources sets the minimum standards for floodplain and shoreland/wetland zoning, local communities have the right to be more restrictive in their regulations. Exclusive agricultural zoning allows communities to participate in the Department of Agriculture, Trade & Consumer Protection’s Farmland Preservation Program. (Farmers in counties not in the this program may participate by agreement with DATCP.)
<b>Subdivision Regulation</b>	Subdivision regulations allow communities to control the division of land and the quality of development by specifying the subdivider’s responsibility for installing on-site facilities (e.g., roads and sidewalks), and by ensuring the availability of public facilities, such as sewers and water, to handle development. Subdivision regulations can also address land suitability, environmental and design issues, and require dedication of park lands or fees in lieu of dedication.	Counties, cities, villages and towns can all adopt subdivision or land division regulations. Towns do not need the approval of counties to adopt subdivision regulations and counties do not need the approval of towns for the county subdivision ordinance to apply within that town. Counties also have the authority to object to subdivisions in cities and villages in certain circumstances. Cities and villages can apply their ordinances to influence development patterns in their “extraterritorial” area (i.e., the town area adjacent to their borders). In areas where two or more subdivision ordinances apply, the more restrictive ordinance controls. Several state agencies also review subdivisions of a certain size. State agency review is not dependant upon a local community having a subdivision ordinance.
<b>Official Maps</b>	Official maps show existing and planned public facilities such as streets and parks. They can also show historic districts and waterways. The maps can be used to restrict the issuance of building permits within the limits of the mapped areas. The maps are an effective means to reserve land for future public use.	Cities, villages and towns can all adopt official maps. Cities and villages may make their official maps applicable in the “extraterritorial” area (i.e., the adjacent town territory). County approval is not needed for towns to adopt official maps. Counties have limited official mapping authority.
<b>Historic Preservation Ordinance</b>	Historic preservation ordinances are meant to protect historic buildings and districts in communities and enhance the character of the community.	Counties, cities, villages and towns can adopt historic preservation ordinances. Cities and villages that contain property listed on the state or federal register of historic places must enact an historic preservation ordinance.

<b>Design Review</b>	Design review allows communities to establish their desired future appearance by controlling landscaping, architectural, signage and site design conditions. Communities can maintain or improve valued aspects of community character by defining conditions which contribute, for example, to northwoods, rural, small town or neighborhood character.	Communities adopt design review as part of a zoning ordinance, or as a separate ordinance under a community's statutory "police power" regulatory authority. Some communities use overlay districts to define areas with special design needs. Communities typically assign design review to the plan commission, although sometimes a separate design review committee is established.
<b>Moratoria</b>	A moratorium is used to temporarily limit issuance of permits while new regulations are being developed so that plan objectives are not undermined.	While there is no specific statutory moratorium authority, communities have relied upon general and implicit authority to impose moratoria while they update or develop a plan and implementation tools. Moratoria should be used only in good faith planning efforts and should be limited as to time and scope.
<i>Acquisition Tools</i>	<i>Brief Description</i>	<i>Applicability</i>
<b>Land Purchases</b>	Communities can purchase all rights to needed land or partial interests in land (e.g., easements).	Counties, cities, villages, and towns have the authority to purchase land outright, when full use of the property is needed, or to purchase partial interests in land when that will suffice to serve the public interest.
<b>Eminent Domain</b>	Eminent domain (or condemnation) allows government to take private property for public purposes, even if the owner does not consent, but the government must compensate the property owner for their loss.	Counties, cities, villages, and towns can condemn land using the power of eminent domain. This authority can also be used to take partial interests in land (e.g., easements).
<b>Conservation Easements</b>	Conservation easements are legally binding agreements made voluntarily between a landowner and a land trust or local community in which permanent limits are placed on a property's use and development.	Counties, cities, villages, towns and conservation organizations such as land trusts can use conservation easements. Donated conservation easements that meet federal tax code requirements qualify as charitable deductions for landowners.
<b>Purchase of Development Rights (PDR)</b>	Under a PDR program, a community buys the development rights to land it wants to permanently protect. PDR programs are used to preserve agricultural lands, open space, scenic vistas, and important natural resources.	Counties, cities, villages, and towns all have the authority to use PDRs. A conservation easement is recorded to indicate that the development rights have been removed from the land.

<i>Fiscal Tools</i>	<i>Brief Description</i>	<i>Applicability</i>
<b>Capital Improvement Program (CIP)</b>	CIP's help a community plan for the timing and location of capital improvements (facilities such as sewers and water, parks and schools). CIP's ensure proper local budgeting for capital improvements. The location of capital improvements has a major impact on development patterns.	Counties, cities, villages and towns can all adopt capital improvement programs.
<b>Impact Fees</b>	These are financial contributions imposed on new development to pay for capital improvements needed to serve the development.	Counties, cities, villages, and towns can all impose impact fees for certain public facilities (excluding schools).
<i>Privately-initiated Tools</i>	<i>Brief Description</i>	<i>Applicability</i>
<b>Land Trusts</b>	Land trusts are private non-profit organizations established to protect land and water resources. Generally, they are community-based organizations established by conservation minded citizens.	Communities can work with land trusts for the long term preservation of agricultural areas and important natural resources. Land trust often seek the purchase or donation of land or conservation easements to limit harmful development.

Source: Ohm, Brian, Today Decisions, Tomorrow's Wisconsin, pp. 11-16, University of Wisconsin (1999); adapted by Video Design Team members James Schneider, Wayne Tlusty and Michael Dresen. February 1999.

## Tools for Public Conservation

**Direct purchase.** Buying land and setting it aside protects unique sites and benefits recreation. But isolated nature preserves do not address fragmentation. Land acquisition remains important for critical areas, but direct purchase needs to be supplemented with other forms of land protection to connect the lands in between public lands.

**Purchase of Development Rights** A PDR program takes a market approach to land protection. State or local governments can set up a program to buy the right to develop a parcel and retire that right. The landowner gets paid cash compensation for the value of the development rights and continues to live on the land as before.

**Temporary moratorium** A moratorium is a growth control measure that temporarily suspends development or subdivision for up to two years. Moratoria are extreme actions and can only be used to give local governments a chance to plan or prepare stronger land use regulations.

**Zoning** Environmental zoning can play a critical role to prevent fragmentation. Regulations can cover a broad area relatively cheaply and quickly, however, zoning is changeable and can be revoked in the future. Zoning should be used in combination with other tools.

### Preservation overlay zoning

Overlay zoning matches the boundaries of an ecological area and imposes strict regulation only in the most ecologically sensitive region. Landowners outside the overlay area are not subject to extra restrictions, making such zoning more politically acceptable. Overlay zoning is ideal for conservation since it is tailored to fit each individual landscape.

### Large lot zoning

Large lot zoning requires a minimum lot size, typically 10, 15 or 35 acres. It has been commonly used in Wisconsin to protect open space and agricultural land, and can limit intensive development and parcelization. However, large lot zoning only changes the density of development—it still allows fragmentation and cannot prevent building in ecologically sensitive areas. Large lot requirements can also backfire and encourage sprawl.

## Tools for the Private Landowner

Private options involve the landowner and should always be used together with public tools for land protection. Private conservation gives landowners incentives to protect natural areas on their property, and can offer permanent and parcel-specific protection.

**Conservation easements** Conservation easements allow landowners to protect land permanently and also maintain ownership. Easements generally restrict development, mining and clear-cutting, and do n the land to the public. Conservation easements are flexible documents tailored to unique site conditions and adapted to landowners’ goals and wishes. Extra building sites can be reserved for the landowner’s family in the future. Donations of easements also qualify landowners for an income tax deduction and may lower property and estate taxes as well. Conservation easements protect land “in perpetuity.” The restrictions apply to all future owners and a designated land trust monitors and enforces the terms of the easement.

### Land Protection Tools

Type	Description	Advantages	Disadvantages
Direct purchase	Land owned by public or conservation group	Permanent protection Public recreation	Expensive to buy and maintain
Purchase of Development Rights	Government buys development rights; landowner keeps title	Permanent protection Landowner gets cash and possible tax benefits	Can be expensive to buy, which limits broad use
Development Moratorium	Temporarily stops subdivision or development	Can halt development while preparing stronger regulation	Temporary Can create rush on development
Preservation Overlay Zoning	Designated area is covered by special zoning designed to help preservation	Flexible to suit local situation Inexpensive	Temporary since zoning can be changed
Large Lot Zoning	Minimum lot size restricts density of development	Can reduce parcelization Inexpensive	Temporary. May encourage sprawl
Conservation Easements	Development rights or other lands rights restricted and given to conservation group; Landowner keeps title	Permanent Flexible, tailored to local situation Donation tax deductible Lower land value may reduce property, estate, capital gains taxes	Some long-term expense to monitor easements
Land Management Contracts	Landowners follow binding management contract for designated time (10-50 years)	Contract runs with land No development or subdivision Lower property taxes May result in better land management	Short-term protection only
Conservation Buyers	Land bought by person interested in owning land for natural values	Private source of funding Steward lives on land Often includes conservation easement	Difficult to match land with appropriate buyer
Reserved Life Estates	Landowner sells or donates title but continues to live on land	Tax benefits during lifetime Owner can remain on land for lifetime	Management may be restricted while owner lives on property
Bargain Sales, Donations & Bequests	Owner sells property for discounted price; or donates or bequeaths land for conservation	Permanent protection Bargain sale offers owner some cash; makes deal affordable	Bargain sale price might still be too high; Donations not always possible

**Land management contracts.** Tax incentive-based land management contracts, like Wisconsin's Managed Forest Law, offer important temporary protection. These 15, 25 and even 50- year contracts protect forest land and open space from development and subdivision. The contracts "run with the land," and apply to future landowners until the term expires. Land management contracts delay development and shift it away from prime habitat for now.

**Conservation buyers** A conservation buyer is any private buyer interested in owning natural areas for hiking, bird watching, hunting, fishing, or other quiet enjoyment. The conservation buyer provides funds to purchase a property, and typically accepts placing a conservation easement on the land. Conservation buyers also act as stewards of the property. Locating potential buyers can be difficult, but a conservation-minded real estate broker can help match buyers with ecologically-sensitive land.

**Bargain-sales, donations and bequests** Landowners can donate property during their lifetime or leave the property for conservation by will. A bargain-sale is another popular option since it provides the landowner with direct income and a tax deduction as a charitable gift for the amount of the discount, if the sale is made to the government or to a qualified nonprofit group. A bargain-sale makes the land more affordable, thus making it more likely to be protected.

**Reserved life estates** A reserved life estate allows private landowners to donate their land but still live on it. The land belongs to the conservation organization, but landowners reserve the right to live on the property for the rest of their lifetime and receive tax benefits from the land donation.

## Resource Agencies and Organizations

### **Bayfield County**

- **Land Conservation Department**

*County Conservationist, Conservation Education Coordinator, Wildlife Damage Specialist*  
315 Sanborn Avenue, Suite 100, P.O. Box 267, Ashland, WI 54806  
Telephone (715) 682-7187

- **Land Records Department**

*Land Records Administrator*  
117 E. 5th Street, Bayfield County Courthouse, Washburn, WI 54891  
Telephone (715) 373-6156

- **Zoning Department**

*Zoning Administrator*  
117 E. 5th Street, Bayfield County Courthouse, Washburn, WI 54891  
Telephone (715) 373-6138

### **University of Wisconsin-Extension**

- *Agricultural Agent, Family Living Agent, 4-H Agent, Resource Agent*  
117 E. 5th Street, Washburn, WI 54891  
Telephone (715) 373-6104

- *Basin Educator*

Northern Great Lakes Visitor Center, 29270 County Highway G, Ashland, WI 54806  
Telephone (715) 685-2674

### **University of Wisconsin-Madison College of Agriculture & Life Sciences**

- *Ashland Agricultural Research Station*  
68760 State Farm Road, Ashland WI 54806  
Telephone (715) 682-7268

### **Wisconsin Department of Natural Resources**

- *Area Conservation Warden Supervisor*  
2501 Golf Course Road, Ashland, WI 54806  
Telephone (715) 685-2929

- *Lake Superior Fisheries Manager*  
141 S. 3rd Street, P.O. Box 589, Bayfield, WI 54814  
Telephone (715) 779-4035

- *Forester*  
2501 Golf Course Road, Ashland, WI 54806  
Telephone (715) 685-2912

- *Land Basin Supervisor*  
2501 Golf Course Road, Ashland, WI 54806  
Telephone (715) 685-2913

- *Wildlife Biologist*  
2501 Golf Course Road, Ashland, WI 54806  
Telephone (715) 685-2914

- *Lake Superior Basin Water Supervisor*  
401 Tower Avenue, Superior, WI 54880  
Telephone (715) 395-6911

- *Water Management Specialist*  
2501 Golf Course Road, Ashland, WI 54806  
Telephone (715) 685-2923

**Wisconsin Department of Transportation**

1701 N. 4th Street, Superior, WI 54880  
Telephone (715) 392-7925

**United States Department of Agriculture**

- **Animal & Plant Health Inspection Service—Animal Damage Control (ADC)**  
*Director* — Rhinelander, general information & non-agricultural complaints  
Telephone (800) 228-1368  
*Agricultural Bear Trapper* — Brule, agricultural complaints only  
Telephone (715) 372-4899

- **Farm Service Agency (FSA)**  
*Director* — 2014 W. 3rd Street, Ashland, WI 54806  
Telephone (715) 682-9117, Ext. 2

- **U.S. Forest Service (USFS)**  
*District Ranger* — 113 E. Bayfield Street, Washburn, WI 54891  
Telephone (715) 373-2667

- **Natural Resources Conservation Service (NRCS)**  
*District Conservationist*— 2014 W. 3rd Street, P.O. Box 267, Ashland, WI 54806  
Telephone (715) 682-9117, Ext. 3

- **PRI-RU-TA Resource Conservation & Development Council**  
*Coordinator* — 850 N. 8th Street, Medford, WI 54451  
Telephone (715) 648-2008

- **Rural Development (RB)**  
*Community Development Manager* — 2014 W. 3rd Street, Ashland, WI 54806  
Telephone (715) 682-9117, Ext. 4

**United States Department of Interior**

- **U.S. Fish & Wildlife Service (USFWS)**  
*Project Leader* — 2800 E. Lake Shore Drive, Ashland, WI 54806  
Telephone (715) 682-6185

**Great Lakes Indian Fish & Wildlife Commission (GLIFWC)**

*Executive Administrator* — Chief Blackbird Center, P.O. Box 9, Odanah, WI 54861  
Telephone (715) 682-6619

**Northern Great Lakes Visitor Center**

*Director* — 29270 County Highway G, Ashland, WI 54806  
Telephone (715) 685-9983

**Northwest Regional Planning Commission (NWRPC)**

*Executive Director* — 1400 S. River Street, Spooner, WI 54801  
Telephone (715) 635-2197

**Land Trust Organizations**

- **Bayfield Regional Conservancy**

P.O. Box 410, Bayfield, WI 54814

Telephone (715) 779-5263

- **The Nature Conservancy**

707 W. Main Street, Ashland, WI 54806

Telephone (715) 682-5789