VOLUME I - APPENDIX A

PUBLIC PARTICIPATION PLAN

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

Introduction

The How Planning Process is designed to engage stakeholders and facilitate community involvement. Means of participation outlined in this plan and the Oconto County Public Participation Plan will provide guidance while promoting stakeholders to express ideas, opinions, and expertise throughout the planning process; resulting in a locally supported Comprehensive Plan for the Town of How.

The Wisconsin "Smart Growth" or "Comprehensive Planning" planning law requires public participation throughout the planning process. Section 66.1001(4)(a) of the Wisconsin State Statutes states:

> "The governing body of a local government unit shall adopt written procedures that are designed to foster public participation, including open discussion, communication programs, information services and public meetings for which advance notice has been provided, in every stage of preparation of a comprehensive plan. The written procedures shall provide for wide distribution of proposed, alternative or amended elements of a comprehensive plan and shall provide an opportunity for written comments on the plan to be submitted by members of the public to the governing body and for the governing body to respond to such written comments. The written procedures shall describe the methods the governing body of a local governmental unit will use to distribute proposed, alternative, or amended elements of a comprehensive plan to owners of property, or to persons who have a leasehold interest in property pursuant to which the persons may extract nonmetallic mineral resources in or on property, in which the allowable use or intensity of use of the property is changed by the comprehensive plan."

The Town of How acknowledging the need for continuous public involvement throughout the planning process and the requirements of 66.1001(4)(a), will adopt these written public participation procedures. These adopted procedures will provide the framework needed to maximize public involvement throughout the planning process and any subsequent amendments to the comprehensive plan.

Posting/Notification of all Plan Commission Meetings

Public notification for Plan Commission meetings will be posted at the following locations:

- Town Hall
- Other locations specific to the Town

Meetings

The How Plan Commission will participate in periodic public informational hearings/input sessions held at the cluster and local level during the planning process.

All meetings conducted by Oconto County, UW-Extension, or Bay-Lake Regional Planning Commission staff will be open to the public and posted similar to plan commission meetings.

In addition, the Plan Commission will participate in one public hearing as required by Chapter 66.1001(4)(d). This meeting will be held upon the completion of the Comprehensive Plan and prior to the Town Board voting to accept or deny the Comprehensive Plan. A notice of the hearing must be published at least 30 days prior to the hearing in a newspaper likely to give notice in the area. The notice will meet the requirements for proper notification regarding date, time, location, etc.

Open Houses

A minimum of two (2) "Open Houses" shall be held during the development of the comprehensive plan in order to present information regarding the comprehensive plan and to obtain public comment. One shall be held at the "midway" point to present background information, and the second open house will be held near the end of the planning process to present the plan prior to the required public hearing. The open houses will provide the public with an opportunity to review and comment on work that has been accomplished by the plan commission and the planning team.

Notices

The Plan Commission will prepare and post notices of meetings in the local newspaper and notice the meeting in three locations within the Town.

Public Comments

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

The Town Board and the Plan Commission always welcome written comments regarding issues presented. Direct written responses will be made where response is appropriate.

Distribution of the Adopted Plan

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

- Every governmental body that is located in whole or in part within the boundaries of the local governmental unit.
- The clerk of every local governmental unit that is adjacent to the local governmental unit that is the subject of the plan that is adopted or amended as described in par.
- After September 1, 2005, the department of administration.
- The regional planning commission in which the local governmental unit is located.
- The public library that serves the area in which the local governmental unit is located.

Adoption of Comprehensive Plan by Town Board

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

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

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

Additional Steps for Public Participation

In addition to public participation measures described in this plan, the Town will utilize further means of obtaining public participation as adopted by Oconto County in the Oconto County Public Participation Plan. The Town reserves the right to execute additional steps, means, or methods in order to gain additional public participation or promote understanding of the Comprehensive Planning process. These optional steps may include ideas or means not identified in this or the county's public participation plans.

State Statutes

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

Amendments

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

TOWN OF HOW

RESOLUTION NO. 2019-01

RESOLUTION ADOPTING WRITTEN PUBLIC PARTICIPATION PROCEDURES

WHEREAS, the Town of How is preparing an update to its Comprehensive Plan under Wis. Stats. 66.1001, and;

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

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

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

WHEREAS, these Procedures for Public Participation for Adoption or Amendment of the Town of How Comprehensive Plan upon adoption shall replace and effectively rescind any previously adopted public participation procedures;

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

Adopted this 10TH **day of** DECEMBER, ~~2018~~ 2019 u.g.

Approved:

William Bartz Jr. WILLIAM BARTZ JR.

Town Chairperson

Attest:

Mary Woods

Town Clerk

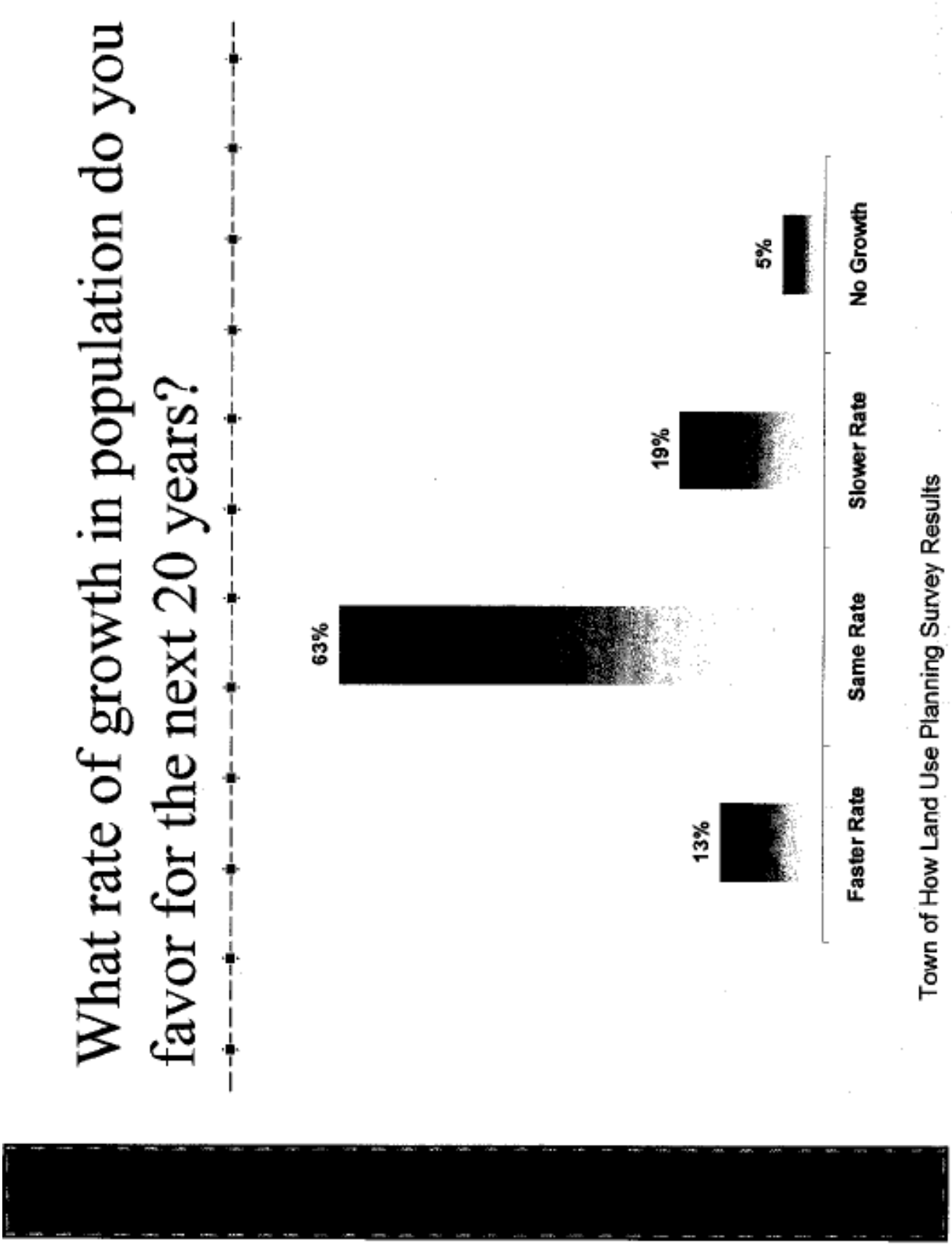
VOLUME I - APPENDIX B

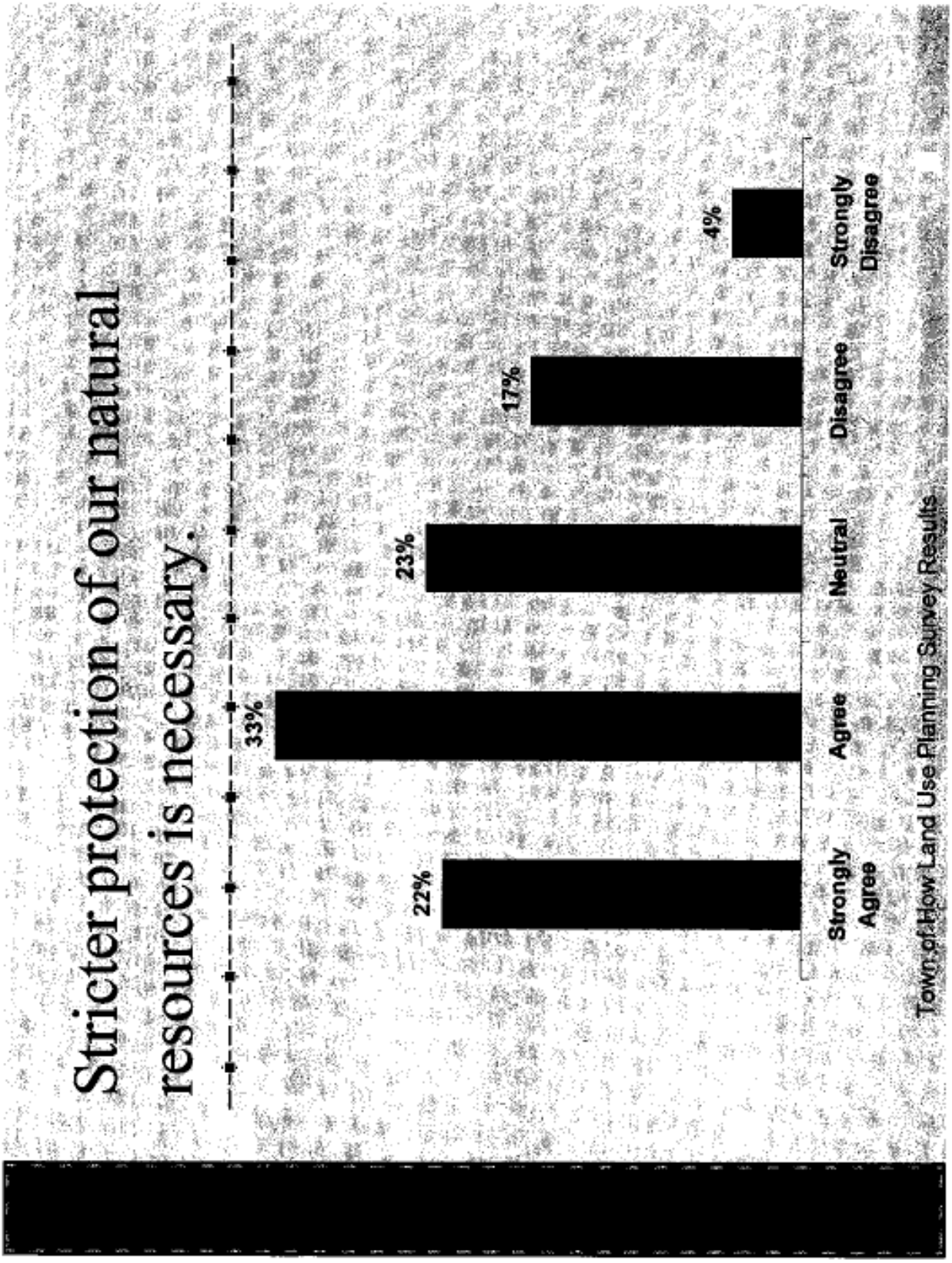
COMMUNITY SURVEY RESULTS

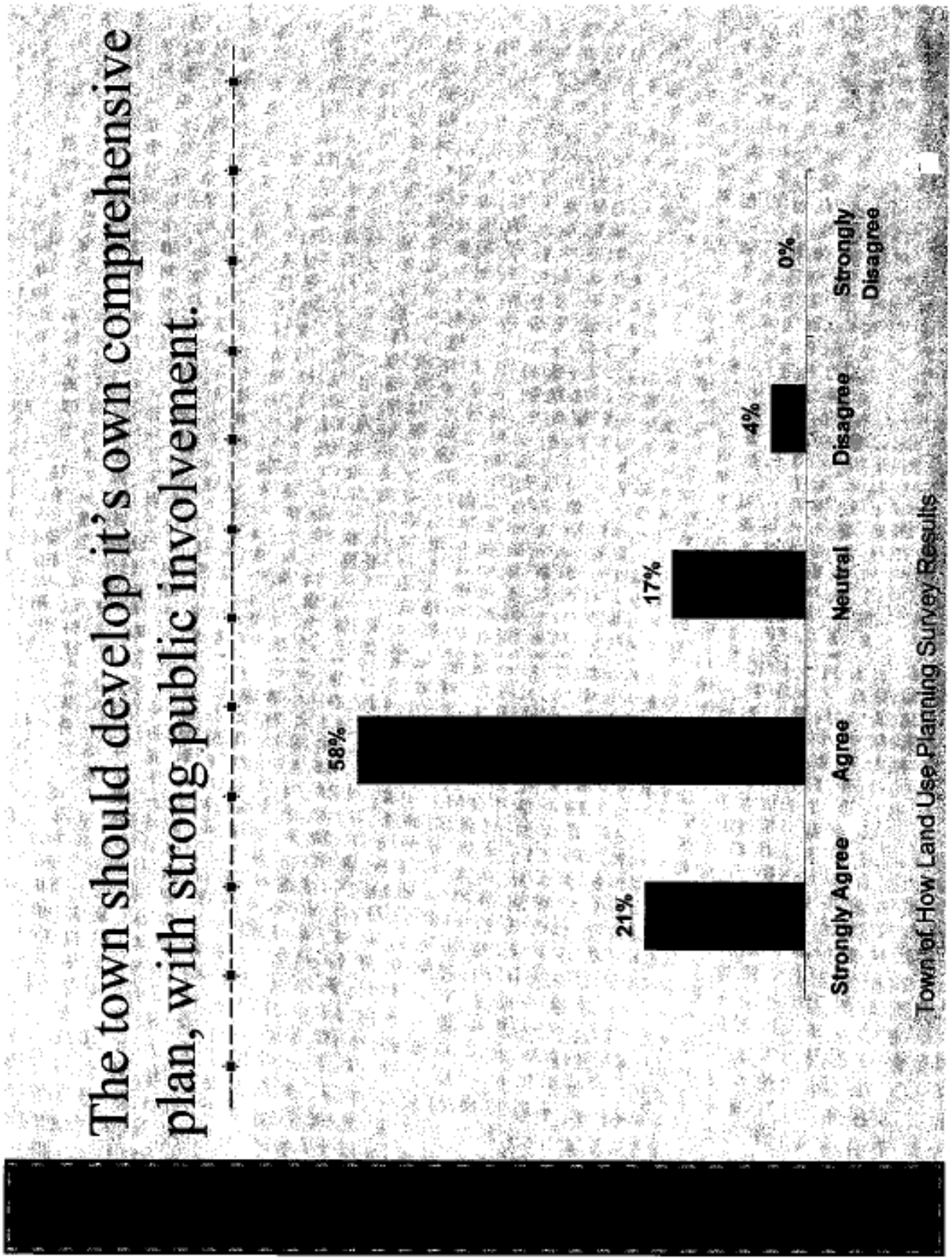
Town of How

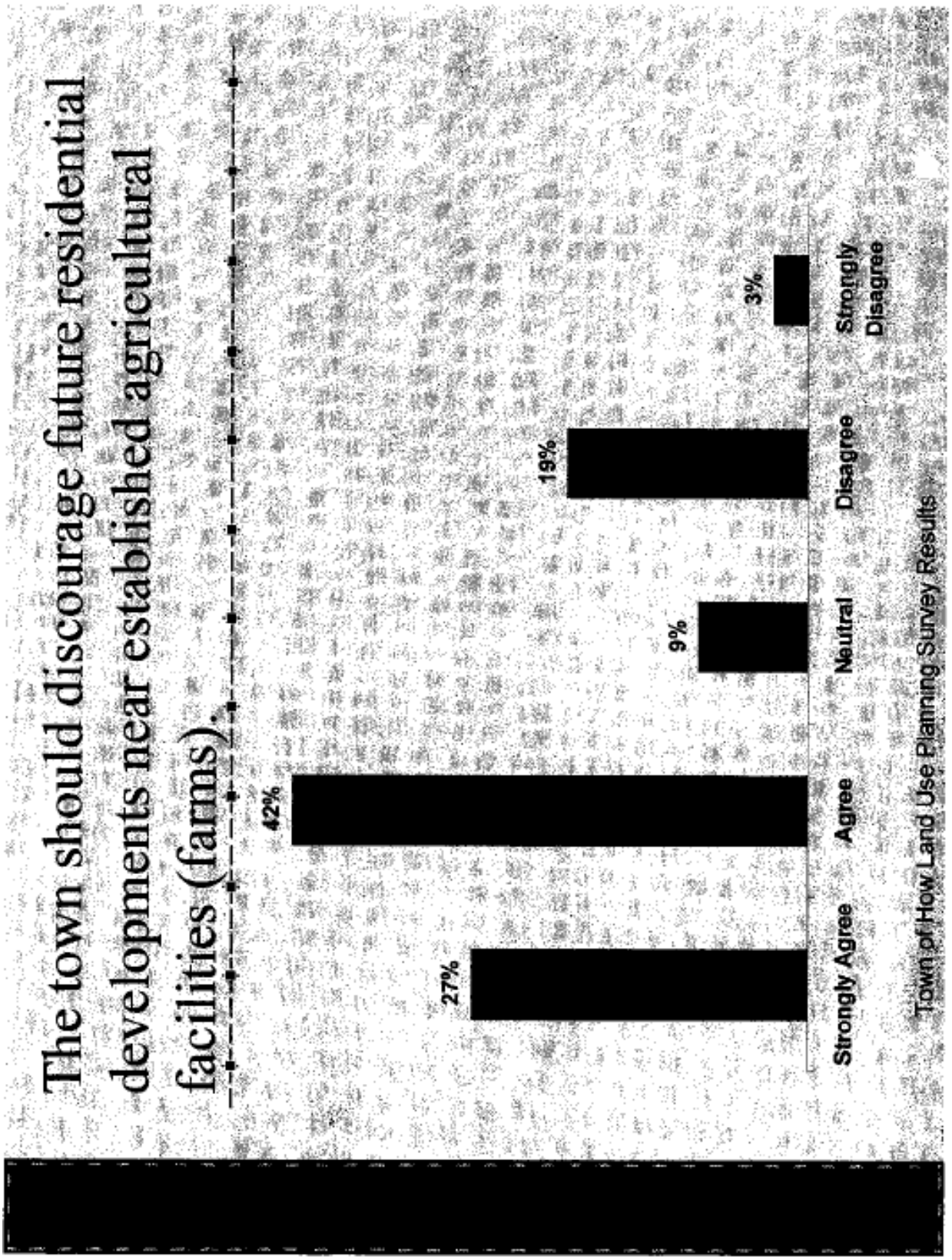
Land Use Planning Survey Results

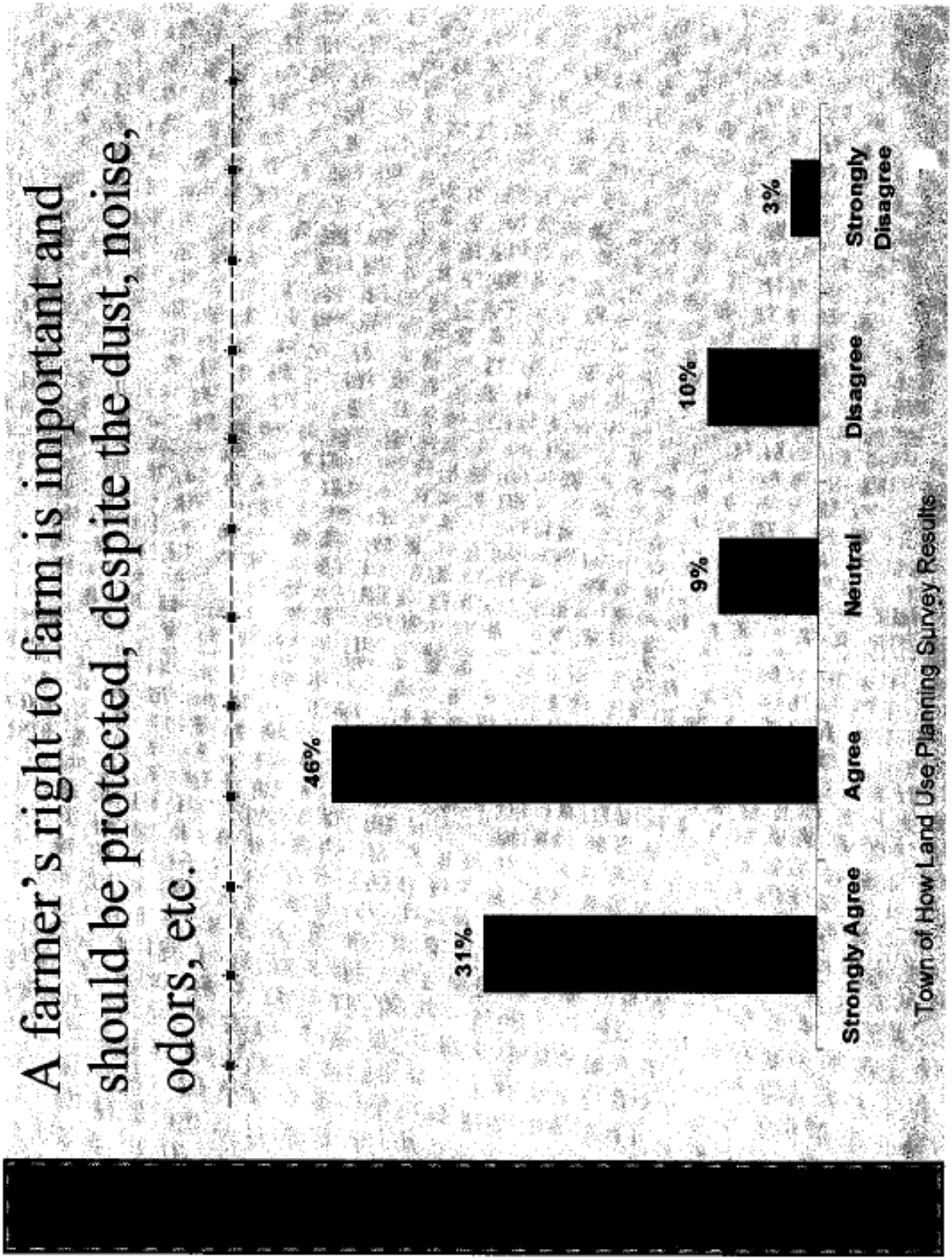
January, 2001

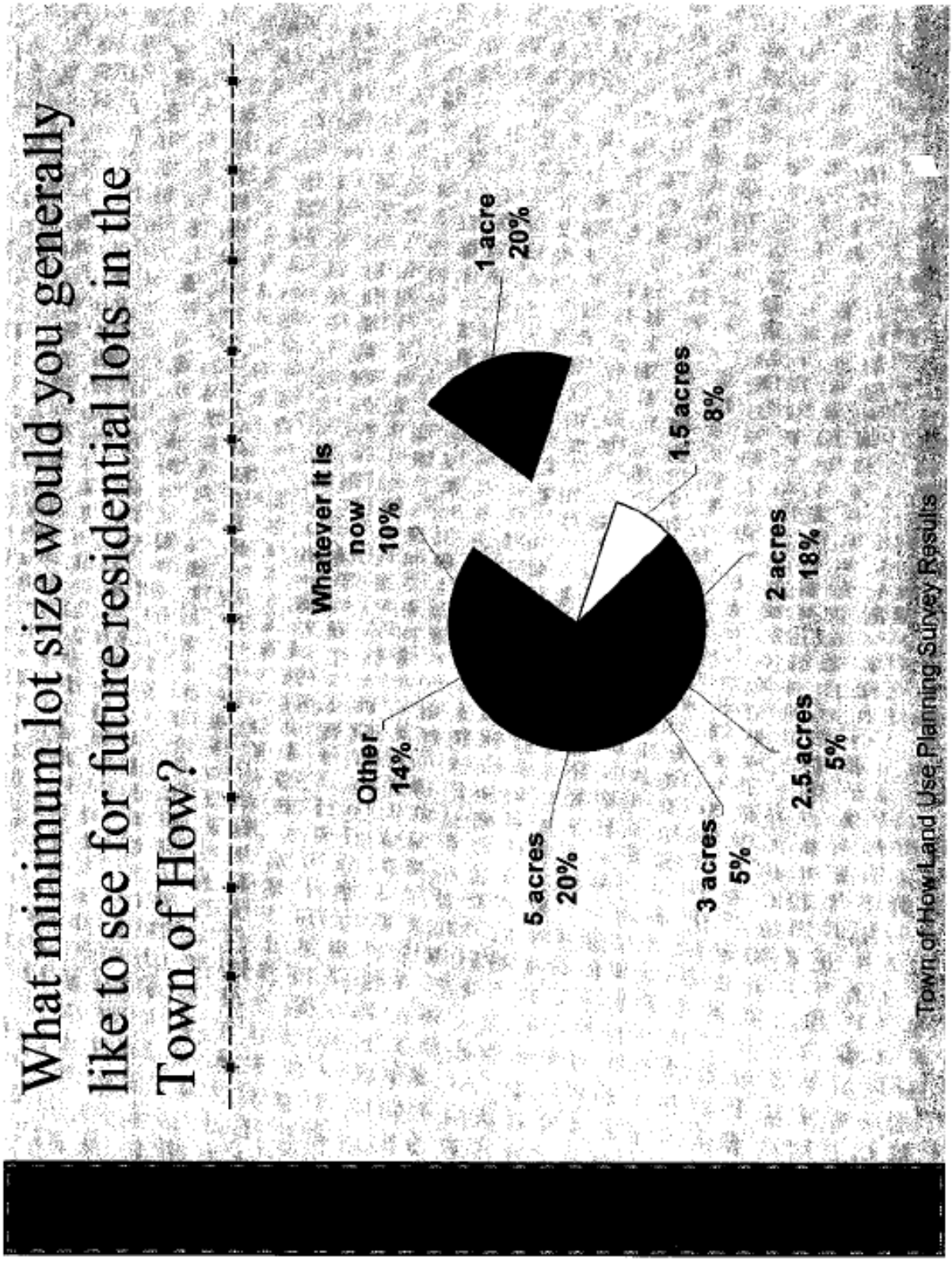

What rate of growth in population do you favor for the next 20 years?
63%
13%
19%
5%
Faster Rate
Same Rate
Slower Rate
No Growth
Town of How Land Use Planning Survey Results

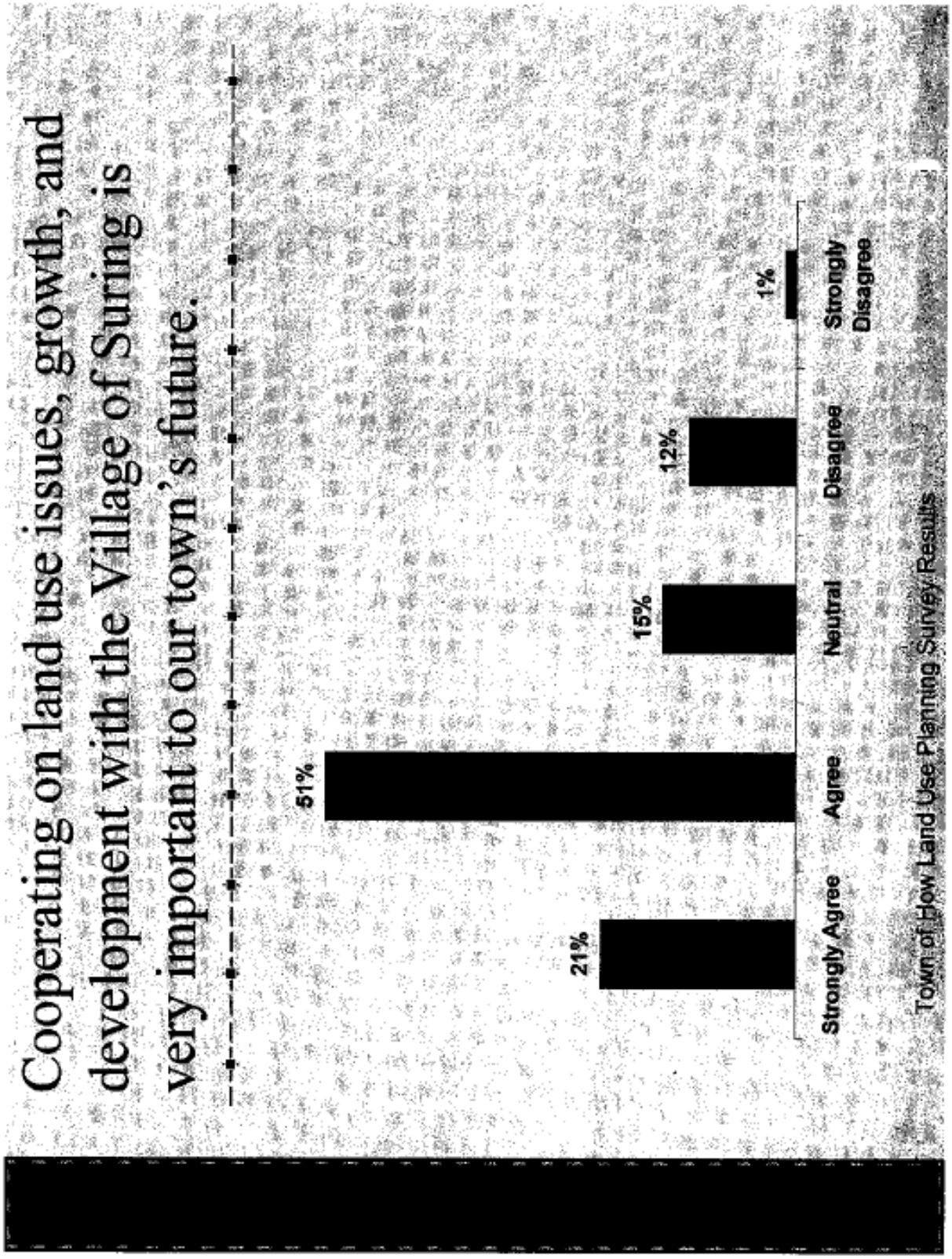

Stricter protection of our natural resources is necessary.
22%
33%
23%
17%
4%
Strongly Agree
Agree
Neutral
Disagree
Strongly Disagree
Town of How Land Use Planning Survey Results

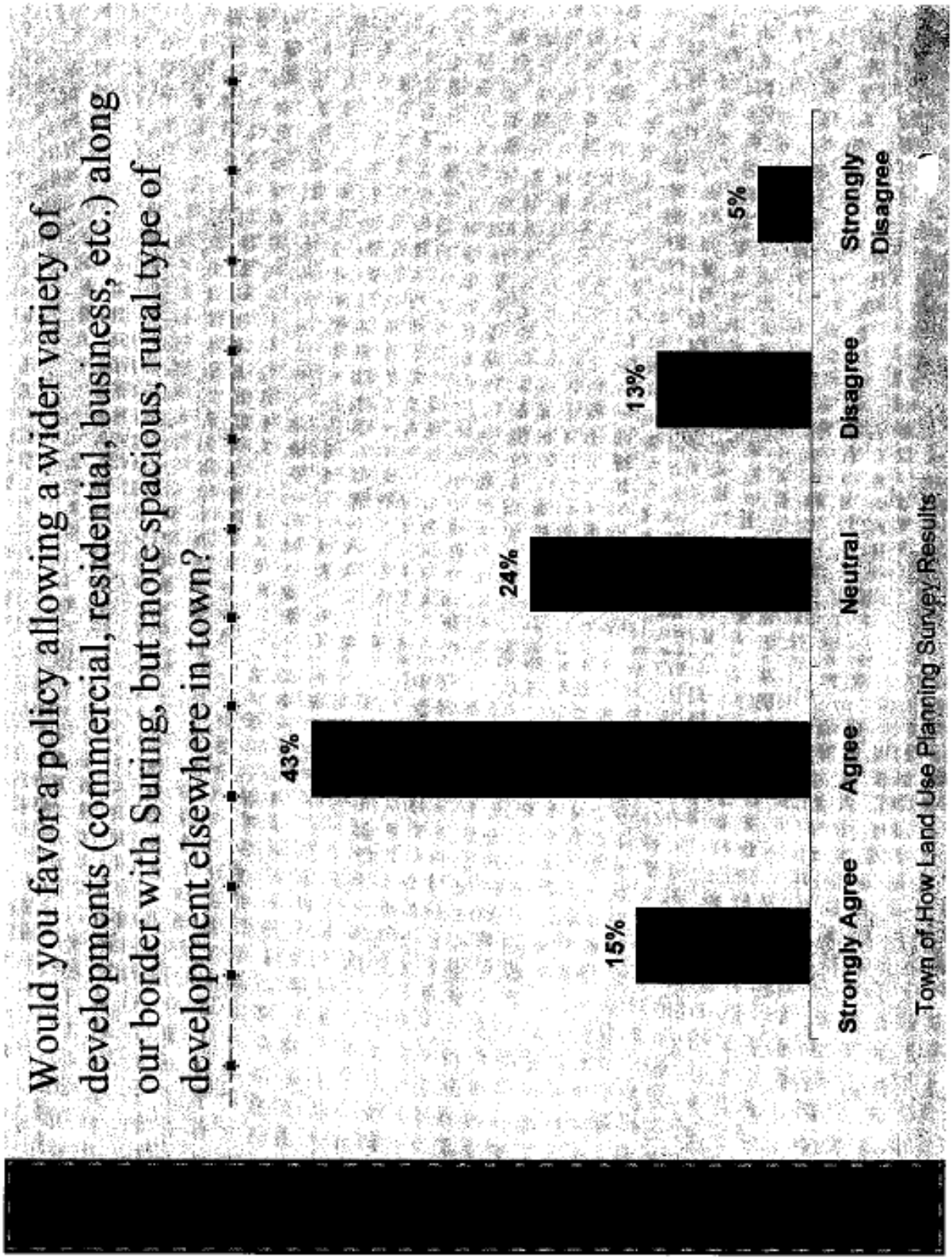

The town should develop it's own comprehensive plan, with strong public involvement.
21%
58%
17%
4%
0%
Strongly Agree
Agree
Neutral
Disagree
Strongly Disagree
Town of How Land Use Planning Survey Results

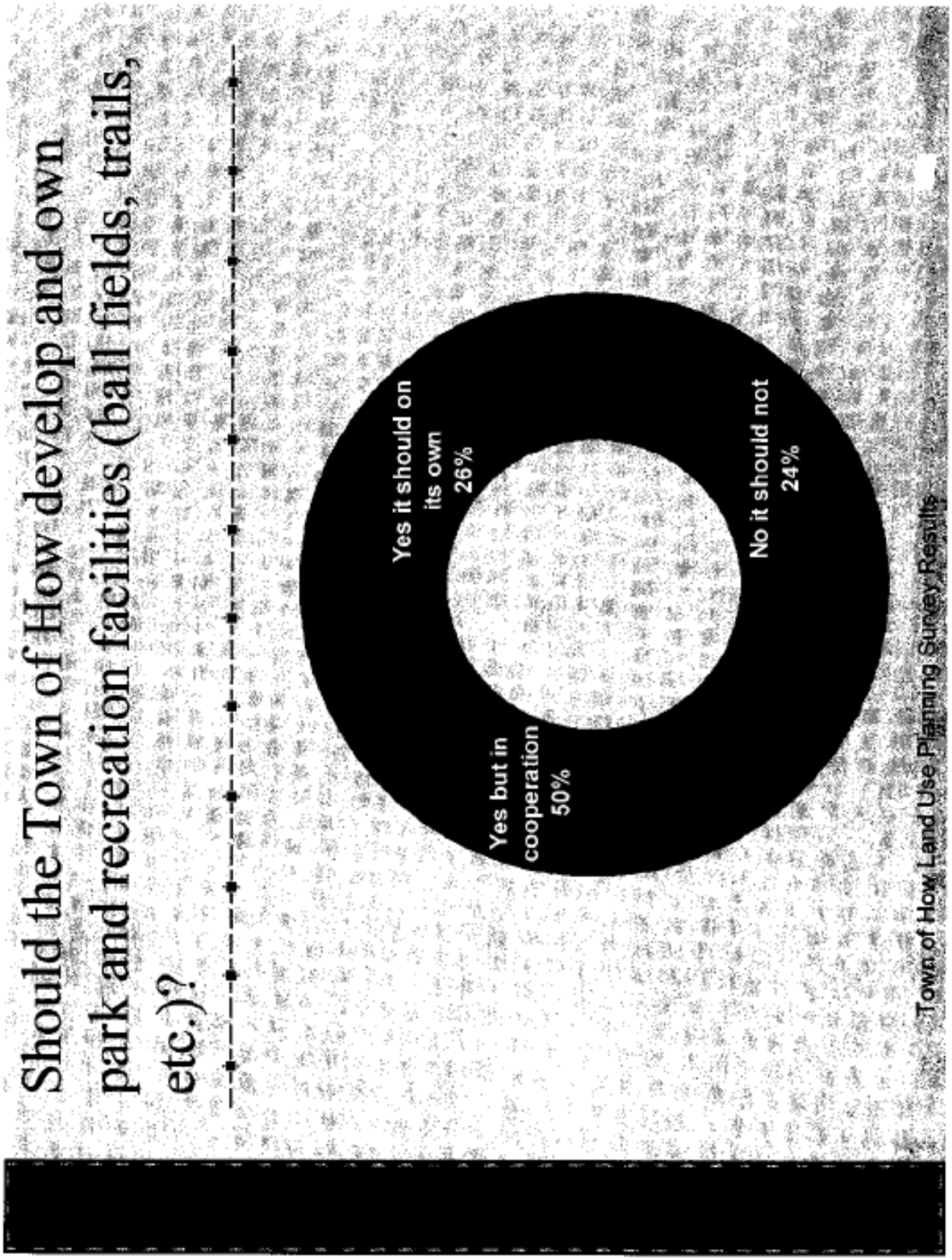

The town should discourage future residential developments near established agricultural facilities (farms).
27%
42%
9%
19%
3%
Strongly Agree
Agree
Neutral
Disagree
Strongly Disagree
Town of How Land Use Planning Survey Results

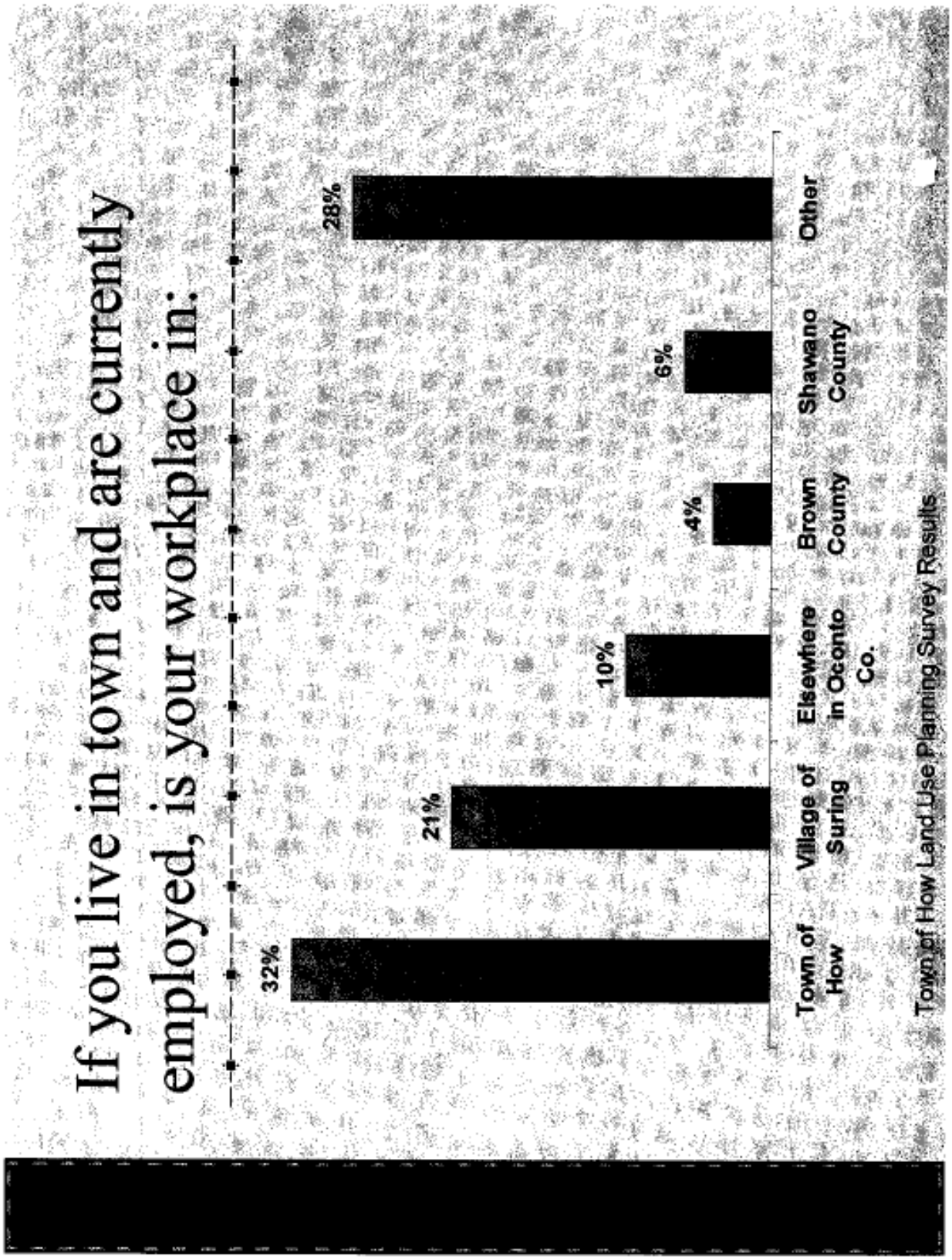

A farmer's right to farm is important and should be protected, despite the dust, noise, odors, etc.
31%
46%
9%
10%
3%
Strongly Agree
Agree
Neutral
Disagree
Strongly Disagree
Town of How Land Use Planning Survey Results


What minimum lot size would you generally like to see for future residential lots in the Town of How?
Whatever it is now 10%
1 acre 20%
1.5 acres 8%
2 acres 18%
2.5 acres 5%
3 acres 5%
5 acres 20%
Other 14%
Town of How Land Use Planning Survey Results


Cooperating on land use issues, growth, and development with the Village of Suring is very important to our town's future.
21%
51%
15%
12%
1%
Strongly Agree
Agree
Neutral
Disagree
Strongly Disagree
Town of How Land Use Planning Survey Results


Would you favor a policy allowing a wider variety of developments (commercial, residential, business, etc.) along our border with Suring, but more spacious, rural type of development elsewhere in town?
15%
43%
24%
13%
5%
Strongly Agree
Agree
Neutral
Disagree
Strongly Disagree
Town of How Land Use Planning Survey Results


Should the Town of How develop and own park and recreation facilities (ball fields, trails, etc.)?
Yes it should on its own 26%
Yes but in cooperation 50%
No it should not 24%
Town of How Land Use Planning Survey Results


If you live in town and are currently employed, is your workplace in:
32%
21%
10%
4%
6%
28%
Town of How
Village of Suring
Elsewhere in Oconto Co.
Brown County
Shawano County
Other
Town of How Land Use Planning Survey Results

VOLUME I - APPENDIX C
NOMINAL GROUP RESULTS

Oconto County Central Planning Cluster
Nominal Group Results

August 29, 2006

Group 1

5	**Preservation of ag. and forestry**
3	**Development of business/industrial parks**
3	**Regulate developers seeking to subdivide land**
2	Continued hunting on public property
2	Maintain the rights of the land owner within reason
2	Preserve lakes, rivers, streams
1	Clustering of residential areas
1	Continue to maintain rural roads (town and county)
1	Maintain trails throughout county
1	Promote area to bring in more industry
1	Promoting the history and background of parks and rec. areas
1	Rural residential lot sizes
1	Wind energy/power lines
	Idle land not producing taxes and is fragmented
	Recognition of town ordinances by the county
	Upgrade forestry roads (logging)

Group 2

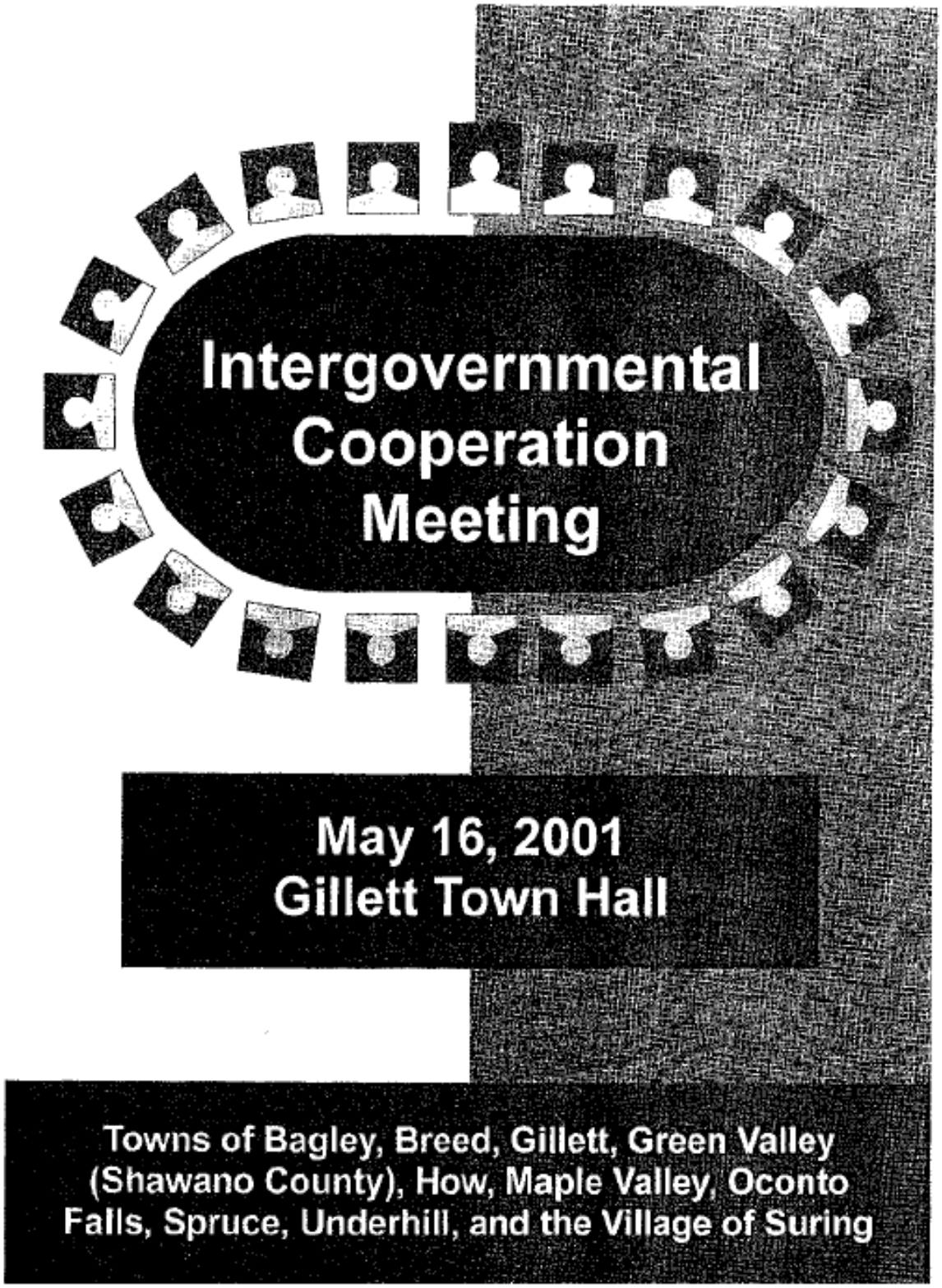
4	**Maintain agricultural heritage in county**
3	**Develop and assist small businesses (<20 employees)**
3	**Preserve county forestlands**
2	Good roads
2	Maintain the county's agriculture – economic impact
2	Promote shared services between municipalities
2	Promote use of alternative fuels
1	Control development on lakeshores and riverbanks
1	County requirement – 10 acres of land needed to develop
1	Improve access to lakes, parks, trails, etc.
1	Maintain industrial base
1	Promote tourism in county
	Additional recreation trails/parks
	Buffer between residential and commercial development
	Good paying jobs
	Increase promotion of trails and corridors
	Keep historic areas undeveloped
	Limit extreme shifts in cost of living
	Maintain environment ambiance – light/noise pollution
	Planned housing – concentrated
	Promote local and county interaction/communication
	Quality housing

Group 3

5	**Preserve agricultural land-protect from infringement**
3	**Prevent fragmentation-keep ag. and forest lands together – promote preservation as well**
3	**Promote development of businesses in cities and villages so as not to tax surrounding communities – promote small business as well**
2	Keep residential development in appropriate areas – prevent sprawl
2	Preserve and enhance recreational opportunities (trails, open space, hunting lands, etc.) including camping facilities
1	Address old/abandoned buildings
1	Improve water quality of surface waters and ensure protection
1	Provide more job opportunities particularly for young people
	Continual monitoring of water quality – identify potential problem areas
	Improve maintenance of forest roads
	Increase education for young people on natural resources in order to promote preservation
	Promote intergovernmental cooperation –share services
	Prudent development along state highways

VOLUME I - APPENDIX D

INTERGOVERNMENTAL COOPERATION RESULTS


Intergovernmental
Cooperation
Meeting
May 16, 2001
Gillett Town Hall
Towns of Bagley, Breed, Gillett, Green Valley
(Shawano County), How, Maple Valley, Oconto
Falls, Spruce, Underhill, and the Village of Suring

Intergovernmental Cooperation in Comprehensive Planning
Issues Identification and Discussion
Gillett Town Hall, Oconto County
May 16, 2001

Participating Communities
Oconto County Towns of: Gillett, Maple Valley, Underhill, How, Oconto Falls, Spruce, Breed, Bagley. Village of Suring. Town of Green Valley, Shawano County. Gillett School District.

Co-Facilitators:
Brandon Robinson, Bay Lake Regional Planning Commission (920) 448-2820
Rob Burke, Oconto County UW-Extension (920) 834-6851

Background Statement

Comprehensive Planning among towns in Oconto County is progressing rapidly. Under the recent "Smart Growth" legislation communities that engage in planning should consult with their neighboring municipalities. It is not expected that solutions to the challenges that face the communities will be instantly discovered, rather it may represent the start of much more cooperation among local governments. Towards accomplishing the requirement of consulting with neighboring municipalities, this workshop was held to identify the major issues all participants face, and discuss possible ways to help resolve the issues in the future. All participating communities may utilize the information generated in this meeting as helping accomplish the Intergovernmental Element of their Comprehensive Planning Process.

Brainstorming Issues

The process for this meeting included a round-robin modified Nominal Group process to identify issues. Approximately 40 representatives of 11 jurisdictions participated.

The results of the initial round-robin brainstorming of issues generated the following items:

1. Use of quarries and blacktopping
2. Protection of the Oconto River (controlling development)
3. Better communications between neighboring communities
4. Enhancing business

5. Stick w/plans, don't give into development pressures
6. Protect wetlands
7. Job opportunities to allow younger citizens to remain in community
8. Highways remain in current location
9. Protect undeveloped shorelines
10. Develop a plan that balances agriculture, manufacturing, recreation, and residential.
11. To allow towns to enforce their own ordinances.
12. Need to educate the public regarding land use plans
13. Intergov. Cooperation is a must
14. Planned growth
15. Preserve the quality of water near Kelly Lake
16. Expand Kelly Lake Sanitary District (develop a plan)
17. Keep planning as an ongoing business
18. Maintain and improve protective services (fire, ambulance, police)
19. Identify location of aquifer, before designating areas for residential
20. Frequent review of water features, wetlands, and pollution issues
21. Minimum lot size for residential development
22. Protect groundwater and wetlands
23. Long-range planning
24. Encourage "conservation by design"
25. Better cooperation with zoning and Oconto County
26. Energy conservation and preservation
27. Plan for shared services
28. Joint planning for Industrial Park in Gillett
29. Better working relationship between 2 ambulance services in Gillett
30. Highway planning
31. Drainage and run-off management
32. Shared responsibility for resource management
33. Protect groundwater
34. Keep habitats together
35. Where is agriculture going if people are bothered by odors, etc.
36. Communicate with school districts to collaborate on goals
37. Have plans that people can live with
38. Address all ages of people in our plans including ADA
39. Specify areas for mobile home units
40. Develop specific areas for residential
41. Plan for versatile trail use – diversify trail use
42. Can't deny right to develop property
43. Plans should be compatible with growth and development
44. Sharing fire/ambulance services
45. Fair taxation of property
46. How to balance property rights with restrictions
47. Animal Control (dogs)

Prioritization

Attendees voted on these issues, each participant could vote for their top 2 priorities. The voting was weighted giving two points for the first priority, and one for the second priority. Twenty-six of the 47 items received at least one vote. The tabulation of the weighted vote count is as follows:
[Note: Items ranked 1'st each received 10 points; 2'nd received 6 points each; 3'rd received 5 points each; 4'th 3 points each; 5'th 2 points each; and 6'th 1 point each]

Rank	Issue # and Description
1. [Tie]	10. Develop plans that balance agriculture, manufacturing, recreation, and residential. 33. Protect groundwater
2. [Tie]	22. Protect groundwater and wetlands 43. Plans should be compatible with growth and development
3. [Tie]	13. Intergovernmental Cooperation is a must 46. How to balance property rights with restrictions
4. [Tie]	19. Identify location of aquifer, before designating areas for residential 20. Frequent review of water features, wetlands, and pollution issues 34. Keep habitats together
5. [Tie]	2. Protection of the Oconto River (controlling development) 7. Job opportunities to allow younger citizens to remain in community 9. Protect undeveloped shorelines 14. Planned growth 26. Energy Conservation and Preservation 31. Drainage and Runoff Management 37. Have Plans People Can Live With 38. Address all ages of people in our plans, including ADA 45. Fair Taxation of Property
6. [Tie]	4. Enhancing Business 6. Protect Wetlands 11. Allow towns to enforce their own ordinances 23. Long Range Planning 24. Encourage Conservation by Design 27. Plan for Shared Services 39. Specify areas for mobile home units 42. Can't deny right to develop property 44. Sharing fire/ambulance services

Groupings of Related Issues

Several of the issues identified in the round-robin brainstorming exercise and related to each other in the following two categories:

Protecting Water Resources
Together this category received a total of 29 points

2. Protection of the Oconto River (controlling development)
6. Protect wetlands
9. Protect undeveloped shorelines
15. Preserve the quality of water near Kelly Lake
19. Identify location of aquifer, before designating areas for residential
20. Frequent review of water features, wetlands, and pollution issues
22. Protect groundwater and wetlands
31. Drainage and run-off management
32. Shared responsibility for resource management
33. Protect groundwater

Balancing Individual Property Rights and Community Interests
Together this category received a total of 30 points

10. Develop a plan that balances agriculture, manufacturing, recreation, and residential.
24. Encourage "conservation by design"
37. Have plans that people can live with
42. Can't deny right to develop property
43. Plans should be compatible with growth and development
46. How to balance property rights with restrictions

Discussion of Possible Solutions and Strategies to Further Intergovernmental Cooperation in the Future

1. More meetings among governmental units on specific issues
2. Educate citizens on land use planning utilizing the newspapers and quarterly newsletters
3. Establish a process in the comprehensive plan for facilitating intergovernmental cooperation.
4. Help in determining the costs of growth
5. Work with county to improve zoning

Final Observations

The strong interest among the represented communities to protect water resources and at the same time to respect property rights of individuals emerges as the most prominent statement generated by this meeting. If a joint statement were composed based on the strength of these two issues, it might read:

"To be successfully implemented, comprehensive plans developed by municipalities will need tools to protect water resources *in ways that are fair and equitable to property owners.*"

Such tools are being developed and popularized in Wisconsin and throughout the US (land trusts, purchase of development rights, conservation subdivision design as examples). As the communities involved in this meeting gain more understanding and sophistication in planning their ability and comfort in using these tools will be a key in making their plans effective. Learning how to make effective use of these tools may serve as a joint goal of planning communities in this area.

Intergovernmental Cooperation
Central Cluster
April 9, 2008

The intergovernmental workshop for the Oconto County Central Planning Cluster was held on April 9, 2008 at the Breed Town Hall. The following illustrates the results from this workshop:

Land Use Issues and Conflicts/Positive Working Relationships

- Agriculture operations
- Transportation infrastructure
- Cooperation with ATV/Snowmobile Clubs
- Senior meal delivery available throughout the county
- Increasing communication through future planning meetings
- Inability to recruit volunteers to provide emergency services
- Population growth in the southern part of the county
- Growing elderly population in the northern areas of the county and the need to plan for appropriate services
- Continue to plan and address issues
- Regulations to apply weight limits on agriculture equipment like what is done on commercial vehicles
- Sex offender registrations not being done
- Municipalities participating in joint spring clean-up efforts
- Not enough designated sites for public hunting
- The need for regulations to limit garbage being dumped in the county forest
- Future developments should have proper sanitary systems
- Maintain compatible comprehensive plans with neighboring communities
- Notices not being forwarded to other parties within the individual communities
- Compatible and enforceable ordinances
- Zoning notification (i.e. use of residential district)
- Renewable energy opportunities
- More agreements with other communities and supported with county assistance
- Random discarding of tires
- Oconto County and Local websites
- Burning barrels
- Empty mobile homes
- Junk yards
- Community development should be shared to save resources
- Agriculture land should be saved-preserved
- Need more parks and recreation
- Bordering issues need to be resolved among communities and the county
- Deputizing of board members, etc. to be able to hold people who litter on town and forestry roads until police arrive

- The county planning committee that hold meetings for zoning permits don't listen to the people
- Quarrels between existing and establishments (homes) and new dwellers
- Large farms depleting aquifers
- Lack of knowledge of school district boundaries when people buy property and build homes, especially a problem with sub-divisions located in two districts.
- The need to allocate more land for recreation, such as baseball diamonds. No communication between schools and towns.
- People do not care what is going on unless it directly impacts their property
- One hand does not know what the other hand is doing
- Clarification of road maintenance between townships
- County police works well
- Ambulance sharing well
- County ordinances for wind turbines and signage
- Monitoring the need for upgrading and expanding sewer system
- Joint planning within the incorporated communities' extraterritorial boundary
- Rural sprawl will increase the need for law enforcement services within those areas
- Demand for law enforcement services will necessary cause the withdrawal of some law enforcement resources from performing ancillary functions.

Potential Resolutions:

- Expand and further promote county and local websites, posting of more agendas, materials, etc.
- No tipping fees for volunteers who pick-up garbage
- The availability of land for economic development
- More communication between all entities
- Better distribution of information both internally and externally
- Continued mutual aid of fire/rescue, etc.
- Compatible lot sizes with neighboring communities
- Enforce regulations equally and fairly
- More planning meetings of this type to bring different peoples and ideas together
- Greater communication between residents and town officials
- Consolidation of fire departments
- Communication with school district
- County consolidation of landfill and recycling rules
- Consolidation of townships and courts
- Boundary agreements-developments, road maintenance
- Downtown Main Street beautification in conjunction with the State Highway 22 upgrades planned for 2012.

VOLUME I - APPENDIX E

GLOSSARY OF TERMS

Planning and Zoning Definitions

Alley: a permanently reserved public or private secondary means of access to an abutting property.

Accessory Structure: a detached subordinate structure located on the same lot as and incidental to the principal structure.

Accessory Use: a use incidental to and on the same lot as a principal use. *See also "accessory structure" and "principal building".*

Acre: a unit of area used in land measurement and equal to 43,560 square feet. This is approximately equivalent to 4,840 square yards, 160 square rods, 0.405 hectares, and 4,047 square meters.

Adaptive Reuse: the conversion of obsolescent or historic buildings from their original or most recent use to a new use.

Adequate Public Facilities Ordinance (APFO): an ordinance that ties development approvals to the availability and adequacy of public facilities. Adequate public facilities are those facilities relating to roads, sewer systems, schools, and water supply and distribution systems.

Administrative Appeal (Appeal): a quasi- judicial* process before the local zoning board to review a contested ordinance interpretation or an order of an administrative zoning official.

Adverse Impact: a negative consequence to the physical, social, or economic environment.

Aesthetic Zoning: the regulation of building or site design to achieve a desirable appearance.

Affordable Housing: housing that has its mortgage, amortization, taxes, insurance, and condominium and association fees constituting no more than 30% of the gross household income per housing unit. If the unit is rental, then the rent and utilities constitute no more than 30% of the gross household income per rental unit. *See* s. COMM 202.01, Wis. Admin. Code.

Agriculture: the use of land for farming, dairying, pasturage, apiculture (bees), aquaculture (fish, mussels), horticulture, floriculture, viticulture (grapes), or animal and poultry husbandry; this includes the necessary accessory uses for packing, treating, or storing the produce from these activities. *See also* ss. 30.40(1) and 91.01(1), *Wis. Stats* .

Agricultural Conservation Easement: conservation easements that restrict specifically farmland from development or specified farming practices and give farmers income, property, and estate tax reductions.

Agricultural Protection Zoning: a method for protecting agricultural land use by stipulating minimum lot sizes or limitations on non- farm use.

Air Rights: the ownership or control of all land, property, and that area of space at and above it at a height that is reasonably necessary or legally required for the full use over the ground surface of land used for railroad or expressway purposes.

Amendment: a local legislative act changing a zoning ordinance to make alterations, to correct errors, or to clarify the zoning ordinance. A class 2 notice must be published and a public hearing must be held before a county board may adopt a proposed amendment. *See* s. 59.69, *Wis. Stats*.

Amenities: features that add to the attractive appearance of a development, such as underground utilities, buffer zones, or landscaping.

Americans with Disabilities Act (ADA): a congressional law passed in 1990, which provides a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities as well as clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities.

Amortization: a method of eliminating nonconforming uses (usually minor structures) by requiring the termination of the nonconforming use after a specified period of time, which is generally based on the rate of economic depreciation of the use or structure.

Annexation: the process of incorporating an area of land in a township into a municipality. *See* ch. 66, subch. II, *Wis. Stats.*

Appellate Body: a body authorized to review the judgments made by administrative officers. For example, a board of adjustment hears appeals of the decisions of a county zoning administrator.

Aquatic and Terrestrial Resources Inventory (ATRI): a public and private partnership to gather, link, and make available data used for decisions affecting Wisconsin's landscape; a systematic and comprehensive information management system developed by the Wisconsin DNR to improve environmental and resource management decisions.

Aquifer: a geologic formation, usually comprised of saturated sands, gravel, and cavernous and vesicular rock, that carries water in sufficient quantity for drinking and other uses.

Aquifer Recharge Area: the surface area through which precipitation passes to replenish subsurface water bearing strata of permeable rock, gravel, or sand.

Architectural Control/ Review: regulations and procedures requiring the exterior design of structures to be suitable, harmonious, and in keeping with the historic character or general style of surrounding areas.

Area Variance (Variance): the relaxation of a dimensional standard in a zoning ordinance decided by a local zoning board. *See* ss.59.69, 60.61, 60.62 and 62.23, *Wis. Stats* .

Arterial: a major street, which is normally controlled by traffic signs and signals, carrying a large volume of through traffic.

Bargain Sale: the sale of land (to a conservation organization, for example) at less than market value.

Base Flood: a flood that has a one percent chance of being equaled or exceeded in any give year, commonly called a 100- year flood. *See also "floodplain".*

Benchmark: a performance- monitoring standard that allows a local government to periodically measure the progress of a local comprehensive plan's goals and policies; also, a fixed and recorded elevation point from which another, relative elevation can be surveyed.

Berm: A low earthen ridge constructed as a landscaping feature or to direct runoff or deflect noise.

Best Management Practices (BMPs): the conservation measures and management practices intended to lessen or avoid a development's impact on surrounding land and water.

Billboard: a sign that identifies or communicates a message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.

Block: a unit of land or contiguous lots or parcels bounded by a roadway or other barrier.

Board of Appeals/ Board of Adjustment (BOA): a board of appointed individuals that hears appeals on variances and exceptions. Board of Appeals applies to cities, villages, and towns, whereas Board of Adjustment applies to counties.

Brownfields: lands contaminated by spills or leaks and that are perceived to be unsuitable for future development due to its hazardous nature or owner liability concerns.

Buffer Area: an area separating two incompatible types of development or a development and sensitive natural resources.

Build Out: the maximum, theoretical development of land as permitted under zoning regulations.

Build Out Analysis: a projection, based on the maximum, theoretical development of all lands, of the impact of a community's cumulative growth.

Building Coverage: *See "lot coverage".*

Building Line: the line parallel to the street line that passes through the point of the principal building nearest the front lot line.

Building Scale: the relationship between the volume of a building and its surroundings, including the width of street, amount of open space, and volume of surrounding buildings. Volume is determined by the three- dimensional bulk (height, width, and depth) of a structure.

Bulk Regulations: standards that establish the maximum size of structures on a lot and the location where a building can be, including coverage, setbacks, height, impervious surface ratio, floor area ratio, and yard requirements.

Bundle of Rights Concept of Property: *See "rights".*

Business Improvement Districts (BID): an area within a municipality consisting of contiguous parcels subject to general real-estate taxes other than railroad rights- of-way and that may include railroad rights- of- way, rivers, or highways continuously bounded by the parcels on at least one side. *See* s. 66.1109(1)(b), *Wis. Stats.*

Business Incubator: retail or industrial space, which may offer shared or subsidized management support such as information and advice on regulations, advertising, promotion, marketing, inventory, labor relations, and finances and facility support such as clerical staff, security, electronic equipment, and building maintenance that is affordable to new, low profit- margin businesses.

By Right: a use that complies with all zoning regulations and other applicable ordinances and that is permitted without the consent of a review board.

Capital Improvement: a physical asset that is large in scale or high in cost.

Capital Improvements Plan/ Capital Improvements Program (CIP): a city's or county's proposal of all future development projects and their respective cost estimates listed according to priority.

Capital Improvement Programming/ Capital Improvement Planning: the scheduling of budgetary expenditures for infrastructure to guide and pace development.

Carrying Capacity Analysis: an assessment of a natural resource's or system's ability to accommodate development or use without significant degradation.

Census: The census of population and housing, taken by the U.S. Census Bureau in years ending in 0 (zero). Article I of the Constitution requires that a census be taken every ten years for the purpose of reapportioning the U.S. House of Representatives.

Census Tract: a relatively permanent county subdivision delineated to present census data.

Central Business District (CBD): the primary, downtown commercial center of a city.

Certificate of Appropriateness: a permit issued by a historic preservation review board* approving the demolition, relocation, or new construction in a historic district.

Certificate of Compliance: an official document declaring that a structure or use complies with permit specifications, building codes, or zoning ordinances.

Cesspool: a buried chamber such as a metal tank, perforated concrete vault, or covered excavation that receives wastewater or sanitary sewage to be collected or discharged to the surrounding soil.

City: an incorporated municipality. Cities are divided into the four following classes for administration and the exercise of corporate powers:

a) Cities of 150,000 population and over- 1st class cities

b) Cities of 39,000 and less than 150,000 population- 2nd class cities.

c) Cities of 10,000 and less than 39,000 population- 3rd class cities.

d) Cities of less than 10,000 population- 4th class cities.

See ch. 62, *Wis. Stats.*

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

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

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

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

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

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

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

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

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

Community of Place: *See "sense of place"*.

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

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

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

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

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

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

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

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

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

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

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

Conservation Reserve Program: a federal Department of Agriculture program that pays farmers to convert 'erodible' cropland into vegetative cover.

Consolidated Metropolitan Statistical Area (CMSA): a statistical area defined by the U.S. Census; a large metropolitan statistical area with a population of one million or more that includes one or more primary metropolitan statistical areas (PMSA). *See also "metropolitan statistical area" and "primary metropolitan statistical area" in this category.*

Contested Case: a hearing similar to a court proceeding where parties have a right to review and object to evidence and cross-examine witnesses who testify.

Contiguous Properties: properties sharing a property line.

Cooperative Agreement: an agreement between two or more organizations to share in the financing or managing of a property, providing of services, or some other joint venture. *Also see* ss. 66.0307, 150.84, *and* 299.80, *Wis. Stats. for specific examples of authorized agreements* .

County: a political subdivision of the state. Counties are delineated in ch. 2, *Wis. Stats.* Wisconsin has 72 counties. *See* ch. 59, *Wis. Stats.*

***cul de sac* :** a circular end to a local street [*French* , "bottom of the bag"]

Dedication: the transfer of property from private to public ownership.

Deed Restriction: a limitation, which is recorded with the county register of deeds and to which subsequent owners are bound, on development, maintenance, or use of a property.

Design Guideline: an activity standard that preserves the historic or architectural character of a site or building.

Design Review/ Control: an aesthetic evaluation, considering landscape design, architecture, materials, colors, lighting, and signs, of a development's impact on a community

Design Standards: criteria requiring specific dimensional standards or construction techniques. *See also "performance standards".*

Detachment: the transposition of land from a municipality back into a township. *See* s. 66.0227, *Wis. Stats.*

Developer: a person or company that coordinates the ownership, financing, designing, and other activities necessary for the construction of infrastructure or improvements.

Development: an artificial change to real estate, including construction, placement of structures, excavation, grading, and paving.

Development Values: the economic worth of land based upon the fair market price after residential, commercial, or industrial structures have been added.

District: a part, zone, or geographic area within the municipality where certain zoning or development regulations apply.

Down Zoning: a change in zoning classification that permits development that is less dense, intense, or restrictive. *See also "up zoning".*

Dwelling Unit: the space in a building that comprises the living facilities for one family. *See also "multifamily," "single- family attached," and "single- family detached dwelling".*

Easement: written and recorded authorization by a property owner for the use of a designated part of the property by others for a specified purpose. *See also "conservation easement"***.**

Ecological Impact: a change in the natural environment that could disrupt wildlife habitat or vegetation, or that could cause air, water, noise, or soil pollution.

Economic Unit: units of land that, although they may be separated from one another physically, are considered one economically.

Eminent Domain: the right of a government unit to take private property for public use with appropriate compensation to the owner. *See* ch. 32, *Wis. Stats* .

Enabling Act: legislation authorizing a government agency to do something that was previously forbidden. *See also "takings".*

Enterprise Development Zone: zones meeting certain statutorily defined criteria and designated by the state Department of Commerce for providing tax incentives to new or expanding businesses whose projects will affect distressed areas. An enterprise development zone is "site specific," applying to only one business, and is eligible for a maximum of $3.0 million in tax credits. The department can designate up to 79 zones, which can each exist for up to seven years. The department is allowed to vary zone benefits to encourage projects in areas of high distress. *See* s.*560.70, Wis. Stats. See also "community development zone".*

Environmental Corridors: linear areas of natural resources that are critical to maintaining water quality and quantity and to providing habitat linkages that maintain biological diversity. Environmental corridors are often associated with rivers and streams.

Environmental Impact Ordinance: a local legislative act requiring an assessment of the potential harmful environmental effects of a pending development so that steps to prevent damage can be taken.

Environmental Impact Report (EIR): a report that assesses an area's environmental characteristics and then determines the impact that a proposed development will have.

Environmental Impact Statement (EIS): a statement prepared under the National Environmental Policy Act (NEPA) or Wisconsin Environmental Policy Act (WEPA) predicting the impacts a proposed government action is likely to have on the environment and describing the affected environment and the alternative actions considered. *See* s.1.11, *Wis. Stats.*, P.L.91-190, 42 USC 4331, NR 150, Wis. Admin. Code.

Environmental Nodes: discrete, inherently non- linear areas of natural resources that are sometimes isolated from areas with similar resource features. Planning objectives often include linking environmental nodes.

Environmentally Sensitive Areas: areas such as wetlands, steep slopes, waterways, underground water recharge areas, shores, and natural plant and animal habitats that are easily disturbed by development.

Esplanade: waterfront area intended for public use.

Estate Management Strategies: strategies enacted during a landowner's lifetime or upon her death to help preserve family lands and farms.

Ex parte Contact: communication, which is normally prohibited, with a decision maker in a quasi- judicial proceeding, which is not part of a public hearing or the official record in a matter.

Exactions: compensation, which may take the form of facilities, land, or an actual dollar amount, that a community requires from a developer as condition of the approval of a proposed development project. Exactions may be incorporated into the community's zoning code or negotiated on a project- by- project basis; but, they must reflect the type and extent of the expected adverse impacts of the development.

Executive Session: *See "closed session".*

Extraterritorial Zoning: a local government's authority to zone areas outside its boundaries. Under Wisconsin law, the extraterritorial zone for 1st, 2nd, and 3rd class cities extends 3 miles beyond the corporate limits. The limit extends 1½ miles beyond the municipal boundary for 4th class cities and villages. *See* s.62.23(7a), *Wis. Stats* .

Exurban Area: the area beyond a city's suburbs.

Fee Simple Acquisition: the purchase of property via cash payment.

Fee Simple Interest in Property: absolute ownership of and with unrestricted rights of disposition to land. This describes the possession of all rights to property except those reserved to the state. *See "rights".*

Fiscal Impact Analysis: the projection of the costs and benefits of additional or new facilities, rentals, or remodeling of existing facilities, including data relative to increased instructional, administrative, maintenance, and energy costs and costs for new or replacement equipment.

Fiscal Impact Report: a report projecting the costs and revenues that will result from a proposed development.

Floating Zone: an unmapped zoning district that is described in ordinance and on the zoning map only when an application for development is approved.

Floodplains: land that has been or may be covered by flood water during a 'regional flood' as is defined in NR 116, Wis. Adm. Code. The floodplain includes the floodway and floodfringe, and is commonly referred to as the 100- year floodplain.

- *Floodfringe:* that portion outside of the floodway covered by water during a regional flood.

This term is generally associated with standing water, but may under local floodplain zoning ordinances, be developed for specified purposes if development is protected from flooding.

- *Floodway: the channel of a river or stream and those portions of the floodplain adjoining the channel required to discharge a regional flood.*

This term is generally associated with fl owing water and is required by local floodplain zoning ordinances to remain undeveloped and free of obstructions. *See also "base flood".*

Forest Crop Law: a program enacted in 1927 that exempts DNR approved privately owned forest land from general property taxes but instead requires the owner to make an acreage share payment or a state contribution. Under the program, land is taxed at a constant annual rate while its timber is taxed after harvest. Entries into the FCL closed as of 1 January 1986 with enactment of the Managed Forest Law. Today about 25,000 landowners, owning more than 2.5 million acres, are enrolled in the three existing forest tax laws: Forest Crop Law, Woodland Tax Law, and Managed Forest Law. *See* ch. 70, *Wis. Stats* .

Front Lot Line: the lot line separating an interior lot from the street, or the shortest lot line of a corner lot to a street.

Gentrification: the resettlement of low and moderate- income urban neighborhoods by middle and high- income professionals.

Geographic Information System (GIS): computer technology, tools, databases, and applications that provide spatial (geographic) data management, analysis, and mapping capabilities to support policy evaluation, decision- making, and program operations.

Geologic Review: an analysis of geologic features on a site, including hazards such as seismic hazards, surface ruptures, liquefaction, landslides, mud slides, erosion, and sedimentation.

Gift Credit: a dollar or in- kind matching amount (labor, supplies, land donation, etc.) required to secure funds for a development.

Global Positioning System (GPS): a computerized tool for determining longitudinal and latitudinal coordinates through the use of multiple orbiting satellites.

Green Spaces: *See "open spaces".*

Growth Management: the pacing of the rate or controlling of the location of development via law enactment to manage a community's growth.

Growth Trend Series: In a growth series, the starting value is multiplied by the step value to get the next value in the series. The resulting product and each subsequent product is then multiplied by the step value.

Hamlet: a predominantly rural, residential settlement that compactly accommodates development.

Hamlet Lot: a small residential lot in a contiguous group with adjacent and fronting lots oriented toward each other in some ordered geometric way and forming a boundary with the surrounding countryside.

Hazardous Substance: any substance or combination of substances, including solid, semisolid, liquid or gaseous wastes, which may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or which may pose a substantial present or potential hazard to human health or the environment because of its quantity, concentration, or physical, chemical, or infectious characteristics. This term includes irritants, strong sensitizers, explosives, and substances that are toxic, corrosive, or flammable. *See* s.292.01(5), *Wis. Stats.*

Heavy Industry: the basic processing and manufacturing of products from raw materials; or, a use engaged in the storage or manufacturing processes using flammable or explosive materials or those that potentially involve offensive conditions. *See also "light industry".*

Highly Erodible Soils: soils highly susceptible to erosion as determined by an equation that considers soil type, slope, and amount of rainfall but does not consider current land management or vegetative cover. These soils are often identified in county soil survey books.

Historic Area: an area designated by an authority, having buildings or places that are important because of their historical architecture or relationship to a related park or square or because those areas were developed according to a fixed plan based on cultural, historical, or architectural purposes.

Historic Preservation: the research, protection, restoration, and rehabilitation of historic properties.

Historic Property: a building, structure, object, district, area, or site, whether on or beneath the surface of land or water, that is significant in the history, prehistory, architecture, archaeology, or culture of Wisconsin, its rural and urban communities, or the nation. *See* s.44.31(3), *Wis. Stats. See* s.13.48(1m)(a), *Wis. Stats* .

Homeowner's Association: a nonprofit organization made up of property owners or residents who are then responsible for costs and upkeep of semiprivate community facilities.

Home Rule: constitutional provisions in some states that give local units of government substantial autonomy. Wisconsin is a "strong" home rule state.

Incorporation: orderly and uniform development of territory from town to incorporated status. *See* ch. 66, subch. II, *Wis. Stats.*

Impact Fees: cash contributions, contributions of land or interests in land, or any other items of value that are imposed on a developer by a political subdivision to offset the community's costs resulting from a development. *See* s. 66.0617, *Wis. Stats.*

Impervious Surface: a ground cover such as cement, asphalt, or packed clay or rock through which water cannot penetrate; this leads to increases in the amount and velocity of runoff and corresponds to increases in soil erosion and nutrient transport.

Improvements: the actions taken to prepare land, including clearing, building infrastructure such as roads and waterlines, constructing homes or buildings, and adding amenities.

Incentive Zoning: the granting of additional development possibilities to a developer because of the developer's provision of a public benefit.

Industrial District: a district designated as manufacturing, research and development, or industrial park.

Infill: the development of the last remaining lots in an existing developed area, the new development within an area already served by existing infrastructure and services, or the reuse of already developed, but vacant properties. *See also "redevelopment".*

Infrastructure: public utilities, facilities, and delivery systems such as sewers, streets, curbing, sidewalks, and other public services.

Installment Sale: a real estate transaction in which the landowner and the recipient negotiate terms for the property to be transferred over an extended period of time rather than all at once.

Intermodal Surface Transportation Efficiency Act, 1991 (ISTEA): a federal transportation act that authorized the first 23 "high priority corridors" of the total 42 authorized by the ISTEA, the National Highway System Designation Act (1995), and the Transportation Equity Act for the 21st Century.

Intelligent Transportation System (ITS): a system of technologies, including traveler information systems to inform motorists of weather and road conditions, incident management systems to help emergency crews respond more efficiently to road incidents, and commercial vehicle operations to increase freight transportation efficiency, intended to relieve state highway congestion.

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

Interim Zone/ Development Controls: *See "moratorium".*

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

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

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

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

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

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

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

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

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

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

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

Leaseback: *See "purchase/ leaseback".*

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

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

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

Linear Trend Series: In a linear series, the step value, or the difference between the first and next value in the series, is added to the starting value and then added to each subsequent value.

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

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

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

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

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

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

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

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

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

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

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

Manufactured Housing: a structure, containing within it plumbing, heating, air- conditioning, and electrical systems, that is transportable in one or more sections of certain sizes and is built on a permanent chassis, and when connected to the required utilities, is designed to be used as a dwelling with or without a permanent foundation. Such housing must comply with the standards established under the National Manufactured Housing Construction and Safety Standards Act. *See* 42 USC 5401 to 5425 and ch.409, *Wis. Stats.*

Map: a drawing or other representation that portrays the spatial distribution of the geographic, topographic, or other physical features of an area.

Median age: The midpoint age that separates the younger half of a population from the older half.

Metropolitan Statistical Area (MSA): a statistical area defined by the U.S. Census; a freestanding metropolitan area (i.e. an area with a minimum population of 50,000 and adjacent communities with a high degree of economic and social integration) or a Census Bureau defined urbanized area with a population or 100,000 or greater (75,000 in New England), not closely associated with other metropolitan areas. Nonmetropolitan counties surround these areas typically. *See also "consolidated metropolitan statistical area" and "primary metropolitan statistical area".*

Mini- Lot Development: a development containing lots that do not meet the minimum size or other requirements.

Mitigation: the process of compensating for the damages or adverse impacts of a development.

Mitigation Plan: imposed development conditions intended to compensate for the adverse impacts of the development.

Mixed- Use Development: a development that allows multiple compatible uses to be in close proximity to one another in order to minimize transportation infrastructure impacts and to create a compact, efficient neighborhood; for example, single family, multifamily, commercial, and industrial uses are located within a reasonable proximity to each other.

Modernization: the upgrading of existing facilities to increase the input or output, update technology, or lower the unit cost of the operation.

Moratorium: a temporary development freeze or restriction pending the adoption or revision of related public policies or provisions of public infrastructures or services.

Multifamily Dwelling: a building or portion occupied by three or more families living independently of each other.

Multimodal Transportation: an integrated network of various transportation modes, including pedestrian, bicycle, automobile, mass transit, railroads, harbors, and airports.

Municipality: a city, village, town, or other unit of local government. The application of this term varies and it often has specific legal meanings.

National Environmental Policy Act (NEPA): a congressional act passed in 1969, establishing a national environmental policy. NEPA requires federal agencies to consider the environmental effects of decisions early in their decision- making processes and to inform the public of likely impacts. Environmental impact statements (EISs) are prepared consistent with this law. The act also established the Council on Environmental Quality. *See* P.L. 91- 190, 42 U.S.C. 4321- 4347. *See also "environmental impact statement" and "Wisconsin Environmental Policy Act (WEPA)".*

National Register of Historic Places in Wisconsin: places in Wisconsin that are listed on the national register of historic places maintained by the U.S. Department of the Interior, National Park Service.

Neighborhood Plan: a plan that provides specific design or property- use regulations in a particular neighborhood or district.

Neighborhood Unit: the model for American suburban development after World War II based around the elementary school with other community facilities located at its center and arterial streets at its perimeter.

Neotraditional Development: a land- use approach that promotes neighborhoods with a variety of housing and architectural types, a central gathering point, and interconnecting streets, alleys, and boulevards edged with greenbelts.* *See also "New Urbanism" and "smart growth".*

Net Acre: an acre of land excluding street rights- of- way* and other publicly dedicated improvements such as parks, open space, and stormwater detention and retention facilities.

New Urbanism: an approach to development that includes the reintegration of components such as housing, employment, retail, and public facilities into compact, pedestrian- friendly neighborhoods linked by mass transit. *See also "Neotraditional development" and "smart growth".*

NIABY: Not in anyone's backyard. *See also "LULU," "NIMBY," and "NIMTOO".*

NIMBY: Not in my backyard. *See also "LULU," "NIABY," and "NIMTOO".*

NIMTOO: Not in my term of office. *See also "LULU," "NIMBY," and "NIABY".*

Nonconforming Activity: an activity that is not permitted under the zoning regulations or does not conform to off- street parking, loading requirements, or performance standards.

Nonconforming Building: any building that does not meet the limitations on building size or location on a lot for its use and district.

Nonconforming by Dimension: a building, structure, or parcel of land that is not compliant with the dimensional regulations of the zoning code.

Nonconforming Lot: a use or activity which lawfully existed prior to the adoption, revision, or amendment of an ordinance but that fails to conform to the current ordinance.

Nonconforming Use: a use (or structure) that lawfully existed prior to the adoption or amendment of an ordinance but that fails to conform to the standards of the current zoning ordinance.

Noncontributing Building: a building or structure that does not add to the historic architecture or association or cultural values of the area.

North American Industry Classification System (NAICS): a classification system developed by the United States, Canada, and Mexico to provide comparable industrial production statistics collected and published in the three countries. The NAICS replaces the Standard Industrial Classification (SIC) system and provides for increased comparability with the International Standard Industrial Classification (ISIC) system developed and maintained by the United Nations. *See also "Standard Industrial Classification (SIC)".*

Office Park: a large tract that has been planned and developed as an integrated facility for a number of separate office buildings and that considers circulation, parking, utilities, and compatibility.

One-Unit, Attached: This is a 1-unit structure that has one or more walls extending from ground to roof separating it from adjoining structures. In row houses (sometimes called townhouses), double houses, or houses attached to nonresidential structures, each house is a separate, attached structure if the dividing or common wall goes from ground to roof.

One-Unit, Detached: This is a 1-unit structure detached from any other house; that is, with open space on all four sides. Such structures are considered detached even if they have an adjoining shed or garage. A one-family house that contains a business is considered detached as long as the building has open space on all four sides. Mobile homes or trailers to which one or more permanent rooms have been added or built also are included.

Open Session: a meeting that is in accordance with Wisconsin's 'Open Meetings Law.' *See* s.19.85- 19.98, *Wis. Stats* .

Open (Green) Spaces: a substantially undeveloped area, usually including environmental features such as water areas or recreational facilities. *See also "common open spaces".*

Ordinance: a local law; a legislative enactment of a local governing body.

Orthophoto Quad: an aerial photograph that has been adjusted, via the correcting of distortions and inaccuracies due to plane tilt, elevation differences, or the curvature of the earth's surface, to reflect as accurately as possible the actual topography of the earth's surface.

Outright Donation: the donation of land to a unit of government or a qualified charitable land conservation management organization.

Outright purchase: the acquisition of land for the benefit of the public.

Overlay Zone: an additional land use or zoning requirement that modifies the basic requirements of the underlying designation.

Parcel: *See "lot".*

Pedestrian Friendly: a development that is primarily accessible to pedestrians rather than automobiles and with an emphasis on street sidewalks rather than parking.

Performance Standards: general criteria established to limit the impact of land uses or development. *See also "design standards".*

Pervious Surface: a ground cover through which water can penetrate at a rate comparable to that of water through undisturbed soils.

Planned Unit Development: land under unified control to be developed in a single development or a programmed series of phases. A planned development includes the provisions, operations, maintenance, facilities, and improvements that will be for the common use of the development districts, but which will not be maintained at general public expense.

Plan Commission: an appointed local government commission authorized to make and adopt a master plan, consistent with s.66.1001, *Wis. Stats.*, for the physical development of the city. *See* s.62.23, *Wis. Stats.*

Plat: a map of a lot, parcel, subdivision, or development area where the lines of each land division are shown by accurate distances and bearings.

Point System: numerical values assigned to a development's impacts on a community's resources.

Political Subdivision: a city, village, town, county, sanitary district, school district, inland lake protection and rehabilitation district, or other special purpose unit of government.

Pre- acquisition: a technique where one organization (usually a private land trust) purchases a property and holds it until another organization (usually a government agency) can allocate the funds to purchase it.

Preservation: leaving a resource undisturbed and free from harm or damage. While 'preservation' is often used interchangeably with 'conservation,' the latter entails a connotation of prudent resource use.

Primary Metropolitan Statistical Area (PMSA): a statistical area defined by the U.S. Census; an area within a consolidated metropolitan statistical area consisting of a large urbanized county or cluster of counties that demonstrates very strong internal economic and social links, in addition to close ties to other portions of the larger area. *See also "metropolitan statistical area" and "consolidated metropolitan statistical area".*

Prime Agricultural Land: land determined by local governments to be important for sustaining agricultural operations and that are often protected from conversion to other uses. *See* ch.91, *Wis. Stats.*

Prime Farmland: farmland classified by the Natural Resources Conservation Service as best for the crop production of row, forage, or fiber because of level topography, drainage, moisture supply, soil texture and depth, and susceptibility to erosion and runoff. Ideally, prime farmland allows least cost to both the farmer and the natural resources. *See* ch.91, *Wis. Stats.*

Principal Building: the building, including all parts connected, where the primary use of the lot is conducted.

Private Road: a way open to traffic, excluding driveways, established as a separate tract for the benefit of adjacent properties.

Privately Owned Waste- Treatment Systems (POWTS): sewage treatment and disposal systems, which are also called on- site sanitary systems, that are not connected to sewer lines or wastewater treatment plants.

Public Dedication: reserving land in a subdivision for public use such as a school or park.

Public Road: public property dedicated and reserved for street traffic.

Purchase of Development Rights (PDR): a public or private government initiative that acquires the development rights of property to limit development and protect natural features or open space. *See also "rights" and "transfer of development rights".*

Purchase/ Leaseback: an arrangement where a community purchases a natural area and then either leases it back with special lease restrictions or sells it back with deed restrictions designed to protect the natural features of the property.

Quarter, Quarter Zoning: a development standard that limits non-farm development to one house per 40 acres (¼ of ¼ of the original 640- acre section).

Quasi- Judicial Decisions: "resembling a court;" quasi- judicial decision making must follow rules of due process and is midway between legislative and administrative functions. Examples of quasi- judicial decisions include variances, appeals, and conditional- use permits.

Quasi- Public Use/ Facility: a use conducted or a facility owned or operated by a nonprofit or religious institution that provides public services.

Rear- lot Line: a lot line, opposite the front lot line, that generally does not abut a public roadway.

Redevelopment: any proposed replacement of existing development. *See also "infill".*

Redevelopment Authority: an authority, known as the "redevelopment authority of the city of [city name]," created in every city with a blighted area. This authority, together with all the necessary or incidental powers, is created to carry out blight elimination, slum clearance, and urban renewal programs and projects as set forth in Wisconsin Statutes. *See* s.66.1333 (3)(a) 1, *Wis. Stats* .

Reforestation: the planting or replanting of forest plants.

Regional Plan: a plan that covers multiple jurisdictions, often within the administrative area of a regional planning commission, and that can be prepared jointly by cooperating municipalities, regional planning commissions, state agencies, or other entities.

Requests for Proposals (RFP): a document describing a project or services and soliciting bids for a consultant's or contractor's performance.

Requests for Qualifications (RFQ): a document describing the general projects, services, and related qualifications of bidding consultants or contractors.

Reservation of Site: *See "public dedication".*

Reserved Life Estate: an arrangement where a landowner sells or donates property to another party (for example, a conservation organization) while retaining the right to lifetime use.

Revolving Fund: a conservation fund, replenished through donations or selling of the land to another conservation organization or a government agency, used to purchase land or easements.

Rezoning: an amendment to a zoning map or zoning ordinance that changes the zoning- district designation and use or development standards.

Right of First Refusal: an agreement between a landowner and another party (for example, a land trust) that gives the other party a chance to match any third- party offer to purchase lands.

Right of Way (ROW): a strip of land occupied by or intended to be occupied by a street, crosswalk, walkway, utility line, or other access.

Rights (The Bundle of Rights Concept of Property): government and private owners each hold portions of the bundle of rights in real property.

Owner property rights include:

- *Right to Use:* the right to improve, harvest, cultivate, cross over, or not to use.
- *Right to Lease:* the right to lease for cash or the right to hold a cash, including a share lease or third or fourth lease, a crop share lease, a one year lease, or a perpetual lease.
- *Right of Disposition:* the right to sell, to bequeath, to mortgage, or to establish trusts on all or part of a property.

Government property rights include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Special Exception: *See "conditional use".*

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

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

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

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

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

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

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

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

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

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

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

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

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

The court has found "takings" in the following circumstances:

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

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

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

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

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

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

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

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

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

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

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

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

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

Transit- Oriented Development (TOD): moderate or high- density housing concentrated in mixed- use developments* that encourages the use of public transportation.

Transitional Use: a permitted use or structure that inherently acts as a transition or buffer between two or more incompatible uses.

TRANSLINKS 21: a statewide transportation system plan prepared by the Wisconsin Department of Transportation in response to federal and state laws.

Transportation Demand Management (TDM): a strategy that alleviates roadway stress by reducing vehicle density via the increasing of passengers per vehicle.

Transportation enhancements (ISTEA & TEA- 21): funds contributed by the federal highway transportation program to enhance cultural, aesthetic, and environmental aspects of local transportation and transit systems.

Underlying Zoning District: a term referring to a zoning district when it is affected by an overly district.

Undevelopable: an area that cannot be developed due to topographic or geologic soil conditions.

Unified Development Code: the combining of development regulations into a single zoning code.

Universal Transverse Mercator Grid (UTM): a civilian grid system, which uses only numbers and can be handled by digital mapping software and Geographic Information Systems.

Unnecessary Hardship: a unique and extreme inability to conform to zoning ordinance provisions due to physical factors; and, one of three tests a property must meet in order to qualify for a zoning variance.

Up Zoning: changing the zoning designation of an area to allow higher densities or less restrictive use. *See also "down zoning".*

Urban Area: the area within a municipal boundary that is serviced by infrastructure; an intensively developed area with a relatively large or dense population.

Urban Forest: all trees and associated vegetation in and around a city, village, or concentrated development.

Urban Growth Area: an area designated for urban development and usually designed to protect open space or resources beyond its boundaries.

Urban Growth Boundary: the perimeter of an urban growth area.

Urban Sprawl: low- density, automobile- dependent, and land- consumptive outward growth of a city; the spread of urban congestion and development into suburban and rural areas adjoining urban areas.

Utility Facilities: any above ground structures or facilities used for production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals.

Variance: a relaxation of dimensional standards by a local zoning board in compliance with statutory criteria. *See* s.59.99(7 *), Wis. Stats.*

Vehicle Miles Traveled (VMT): a measure of automobile and roadway use.

Village: an incorporated area with a population under 5,000. *See* ch. 61, *Wis. Stats.*

Watershed: the area where precipitation drains to a single body of water such as a river, wetland, or lake.

Wellhead Protection: a plan to determine the water collecting area for a public well, identify the pollution sources within that area, and detect, prevent, and remedy potential contamination to the collecting area.

Wetlands Inventory Map: a map of wetlands classified according to their vegetation, hydrology, and types of human influence, developed by the Wisconsin Department of Natural Resources, used to identify wetlands for protection.

Wetlands Reserve Program: a federal program with state partnering to restore the functions and values of wetlands and to preserve riparian areas through conservation easements and wetland reconstruction.

Wildlife Habitat Incentives Program: a program that awards landowners federal cost- sharing funds after the installation of improvements to wildlife or fishery habitat.

Wisconsin Administrative Code (Wis. Admin. Code): a component of state law that is a compilation of the rules made by state agencies having rule- making authority. These rules provide the detailed provisions necessary to implement the general policies of specific state statutes

Wisconsin Environmental Policy Act (WEPA): a state law establishing a state environmental policy. WEPA requires state agencies to consider the environmental effects of decisions early in their decision-making processes and to inform the public of likely impacts and alternatives that were considered. Environmental impact statements (EISs) are prepared consistent with this law. *See also "environmental impact statement" and "National Environmental Policy Act (NEPA)". See* NR 150, Wis. Admin. Code, and s.1.11, *Wis. Stats.*

Wisconsin Initiative for Statewide Cooperation on Landscape Analysis and Data (WISCLAND): a partnership between government agencies, private companies, and nonprofit groups to collect, analyze, and distribute landscape information.

Wisconsin Register of Historic Places: a listing of districts, sites, buildings, structures, and objects that are significant in national, state, or local history, architecture, archaeology, engineering and culture. The Wisconsin register of Historic Places is maintained by the Wisconsin State Historical Society. *See* s. 44.36, *Wis. Stats.*

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

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

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

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

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

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

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