

9 Land Use Analysis

Land use analysis is a means of broadly classifying how land is used. Each type of use has its own characteristic that can determine compatibility, location and preference to other land uses in the town. The land use plan brings together consideration for both the physical development as well as the social characteristics of the town. Land use mapping and related information is used to analyze the current pattern of development, and serves as the framework for formulating how land will be used in the future.

To arrive at an optimum plan that will be both effective and implemented, the plan must account for past development activity as well as current market factors and conditions that shape where and how land will be developed. Because land use is a people-orientated process, personal opinions and desires, attitudes, legal and political considerations all have land use impacts. Some of these variables have been discussed in earlier sections and will be used as reference. Other aspects will be discussed as the land use plan is developed.

Section 9.1 discusses the uses of land in the Town of Presque Isle. The existing land use types are defined, current land uses are analyzed, and existing and potential land use conflicts are identified.

9.1 Existing Land Use Inventory and Analysis

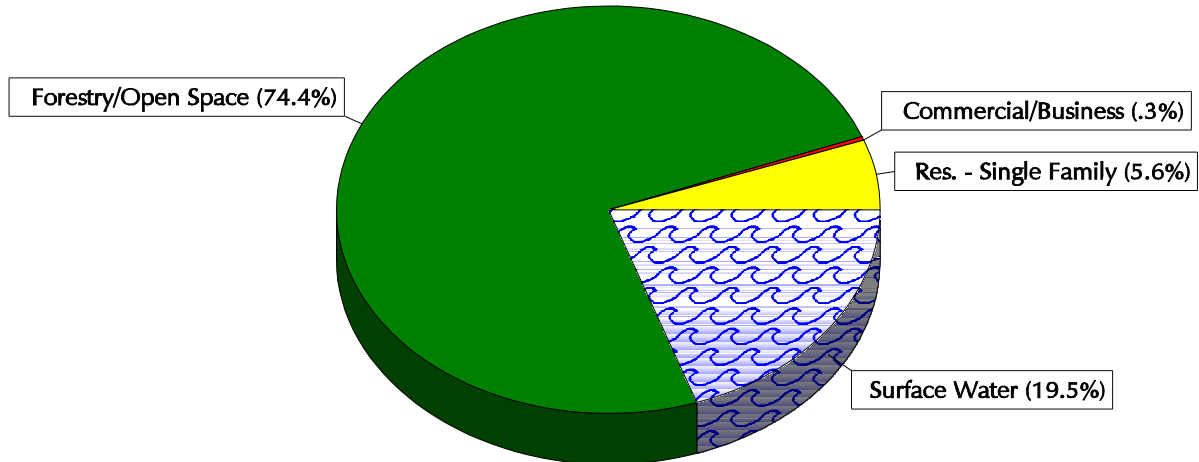
The first step in the land use analysis process was to conduct an inventory of existing uses. The land use inventory classified land uses into 25 categories. Year 1996 aerial photographs were interpreted by the Committee to determine the type of use, and a follow-up "windshield survey" was conducted for areas accessible by road. For purposes of accuracy, the land use map was also available for review at the public meetings as described in Section 2. Vilas County had not completed the parcel base mapping for the town at the time of plan development, so general areas were configured from the aerial photos, plat maps, and the Vilas County base maps.

Existing land uses were digitized from the aerial photos and formulated into Map 9-1, Town of Presque Isle Existing Land Use Map. Acreage totals for each land use type were calculated as presented on Table 9-1 and Figure 9-1. In the case of the Town of Presque Isle, the situation is somewhat simplified by the general dominance of forest as a land use. As can be observed from Table 9-1, forest is the largest land use category with 74.4% or 36,550 acres within the town. A distance second is surface water, which occupies 19.5% or 9,586.3 acres. Forested lands and surface water account for a combined 46,136.3 acres, or 94% of the town's acreage. This data enforces the fact that the character and development of Presque Isle is closely tied to its natural resource base. As discussed in Section 8 and as displayed on Map 8-3, the publicly owned lands and lands enrolled in forest management programs contribute significantly to this scenario, although privately-owned lands which are not enrolled in management programs comprise the majority of the town's land.

**Table 9-1
Town of Presque Isle
Existing Land Use and Acreage
1999**

Land Use Category	Total Acreage	Percent of Total
Residential	2,730.3	5.6
Single-Family	2,722.2	5.5
SF Residence w/ Business	2.9	0.0
Two-Family	0.0	0.0
Multi-Family	5.2	0.0
Commercial/Business	158.4	0.3
Resort	58.7	0.1
Highway	0.0	0.0
Community	99.7	0.2
Industrial	29.8	0.1
Industrial	0.0	
Active and Abandoned Gravel Pits	29.8	0.1
Government Facilities/Services	38.5	0.1
Government Facilities	0.0	0.0
Public Schools	28.3	0.1
Cemetery	5.4	0.0
Active & Closed Landfill Sites/Transfer Stations/Recycling	4.8	0.0
Airfield	0.0	0.0
Private Utilities and Services	5.7	0.0
Private Utilities	5.7	0.0
Private Schools	0.0	0.0
Parks and Recreation Areas	40.0	0.1
Parks and Recreation	34.8	0.1
Private Campground	5.2	0.0
Youth/Adult Education Camps	0.0	0.0
Agriculture	0.0	0.0
Active Farmland (tilled, pasture, etc.)	0.0	0.0
Farmsteads	0.0	0.0
Orchards/Nurseries/X-Tree	0.0	0.0
Forests and Open Space	36,549.9	74.4
Roads	NA	NA
Surface Water	9,586.3	19.5
Total	49,139.3	100.0

**Figure 9-1
Town of Presque Isle
Existing Land Use**



Source: Map 9-1 Existing Land Use

The lakeshore areas on the town's larger lakes are nearly completely developed with both seasonal and permanent single-family residential. Commercial development is primarily scattered along the length of CTH W and concentrated north of the intersection of CTH B and CTH W in the unincorporated village of Presque Isle. The overall development is at low density with high concentrations along the lakeshores. There also can be no comparison in percentage change of land uses over time as the Town of Presque Isle has not had a land use plan or map prior to the effort represented in this document.

The land use development pattern in the Town of Presque Isle is influenced by several key factors. These factors include:

1. Land ownership patterns.
2. Privately owned lands adjacent area lakes.
3. Lands enrolled in Forest Management Programs.
4. The location of Industrial Forests - Four States Timber Venture and Nagel Lumber Co. Lands.
5. The location and function of STH 51.

These key factors and their associated influence on the Town of Presque Isle land use are responsible for much of the development pattern that exists today.

Land Ownership Patterns

As previously stated, forest is the predominant land use feature within the Town of Presque Isle accounting for 36,549.9 acres. Of this total, 8,154.5 acres are owned in Public ownership by the state as part of the Northern Highland American Legion State Forest. In addition the Town of Presque Isle owns 1,226.5 acres, some of which is managed for commercial timber. The private ownership pattern of lands in the town, which includes the majority of land ownership, does not provide long term insurance against major development pressure or the potential conversions to intensive uses. However, there are several private land holdings of considerable size which are primarily located in the central portion of the town. This ownership pattern may withstand development pressure and potential conversion to intensive uses for a longer time period as it is likely there is some vested interest by the current landowner in owning and maintaining these tracts in their current natural state.

Industrial Forest Land - Four States Timber Venture and Nagel Lumber Co.

Four States Timber Venture and Nagel Lumber Company own over 650 acres of property in the town, combined. The bottom line impact of industrial forest ownership on the land use development pattern of Presque Isle is similar to that of other private ownership whereby intensive development could occur in the event of land sales or redesignation of use at any time. However, the forestry land use associated with Four States and Nagel Lumber encourages the preservation of larger tracts of unfragmented forest. Large forestry tracts are key to the propagation of certain wildlife species and contributes significantly to the existing development pattern.

Land Enrolled in Forest Management Programs

Contributing 2,268.75 acres of forest in the town are privately owned properties enrolled in Forest Management Programs, which does not include lands owned by Four States Timber Venture or Nagel Lumber Co. that are also enrolled in these programs. The three most common programs administered by the WDNR are the Woodland Tax Law, Forest Crop Law, and Managed Forest Law. More detailed discussions relative to program specifics can be viewed in Section 8 (this may be in an appendices). The location of properties enrolled in the programs can be viewed on Map 8-3.

With respect to future land use change, lands enrolled in forest management programs provide some level of assurance that the use will continue in forestry. Under these programs, land can be removed or contracts can be allowed to expire. At that time of land transition, lands could be developed per the applicable zoning restrictions. With respect to the existing land use pattern, most enrolled properties are located throughout the town associated with larger parcels held in private ownership. The potential transition of these lands into other land use types (i.e., rural residential) will be a likely land use trend during the planning period.

Privately Owned Property Adjacent Town Lakes

The desire of property owners to establish seasonal or permanent residences along water bodies is as evident in the Town of Presque Isle as it is anywhere in Oneida or Vilas County. As Map 9-1 portrays, major residential developments can be witnessed along most of the town's water bodies. Three major trends are likely to continue throughout the planning period as they relate to this factor.

- ◆ Conversion of seasonal to permanent residences will increase as the baby boomer generation migrates northward for retirement settings.
- ◆ Waterfront development pressure will increase as fewer lakefront properties are available.
- ◆ Large privately owned parcels adjacent to existing lakes will face most of the development pressure for subdivisions.

Location and Function of State Highway 51 and CTH's P, B, and W

State Highway 51 will continue to function as the major traffic route to the town. With improvements scheduled for additional lane construction and surface upgrades, the great northwoods is completely accessible only hours from major metropolitan areas.

CTH's B, P and W hold the majority of commercial use and act as the town's arterials for local road access. The town should anticipate continued commercial development pressure along these highways. The appearance of future commercial development should be addressed by the town to ensure compatibility with Presque Isle's northwoods/recreational character.

9.2 Development Regulations

Under Wisconsin Statutes, counties and local units of government are authorized to adopt "zoning" ordinances. Zoning is a method for implementing or carrying out the "land use plan" by predetermining a logical pattern of land use development.

A zoning ordinance consists of a map and a written text. The zoning map arranges the community into districts or zones...conservancy, agriculture, residential, commercial, industrial, etc. Within each of these districts, the text of the zoning ordinances specifies the permitted land uses, the size of buildings, yard/lot dimensions, and other prerequisites in obtaining permission to develop. The goal of the zoning ordinance is to secure a reasonable development pattern by keeping similar and related uses together and separating dissimilar, unrelated and incompatible uses; particularly in relationship to transportation facilities, utilities and public services and facilities. In Vilas County, zoning in many cases has been the only land use control in the unincorporated Town. Many of the existing zoning districts permit, or "roll-up," uses that are permitted in other districts. The effect is permitted land uses that range far from the intent of the district and actually cause inconsistency of use. The rationale behind the Vilas County Land Use Plan process, and the premise of Presque Isle's plan, is to establish preferred uses of land, *then* compare to existing zoning districts to determine compatibility of uses.

A county may promulgate a zoning ordinance as described above for the unincorporated areas of the county, that is, outside the corporate boundaries of cities and villages, but it is only effective if a Town adopts it for application to its jurisdiction. The Vilas County General Zoning and Shoreland Zoning Ordinance No. 85 was originally adopted January 15, 1985, and amended (#85-94) May 1, 1999.

In the absence of a county zoning ordinance, towns can elect to adopt their own zoning ordinances. However, if a town wants to adopt zoning and there is already a county ordinance in place, the town must either adopt the county ordinance or have the county approve a separate ordinance for that town. Any ordinance, ordinance revision, or amendment to a "town" zoning ordinance under these conditions must first be approved by the county before it may become effective. The Town of Presque Isle never adopted the county zoning ordinance. The town opted to develop its own zoning ordinance which was first enacted May 8, 1959 and was amended July 5, 1979, June 17, 1991, and on May 6, 1999.

The Presque Isle Comprehensive Shoreland District and Zoning Ordinance regulates land use within the Town. The Town's ordinance adopts the Vilas County Zoning Ordinance by reference to the name of the zoning districts only, which means that land use is regulated locally, not by the county. Presque Isle also has a town-specific zoning district for Crab Lake that applies to lands within 600' of Crab Lake with a minimum of 400' frontage and five acre minimum lot size. The town ordinance also adopt the Vilas County classification of lakes and rivers as denoted in Article 3.4 of the Vilas County Shoreland Zoning Ordinance and its accompanying table by reference (which is also included in this report on Table 8-1). Overall, the town zoning ordinance is more restrictive than the county. RESIDENTIAL LOTS WITHOUT WATER FRONTAGE (BACK LOTS) shall not be less than two acres (87,120 square feet) for a single family dwelling. RESIDENTIAL LOTS WITH WATER FRONTAGE shall have a minimum of 300' feet of water frontage and a minimum lot width of 270' on lakes under 50 acres and lakes over 50 acres classified as low development/high sensitivity and on all class I rivers and streams. Lots on all other lakes and class II rivers and streams shall have a minimum lot width of 180' and 200' of water frontage. All lots shall not be less than 1.5 acres (65,340 square feet) for single family, non commercial dwellings.

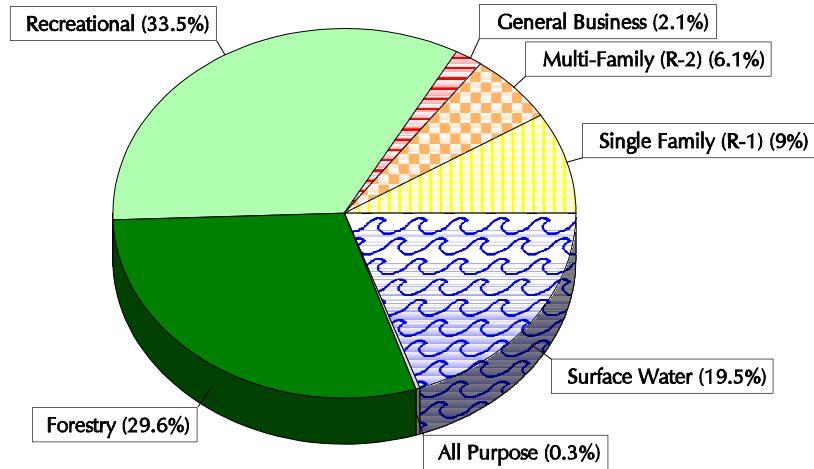
There are different regulations for commercial structures and uses per Appendix 9-2, but in premise the COMMERCIAL LOTS WITHOUT WATER FRONTAGE shall be not be less than two acres in size and COMMERCIAL LOTS WITH WATER FRONATGE shall have a minimum 400' water frontage and be no less than two acres is size. The zoning districts are shown on Map 9-2. The zoning district acreage can be seen in Table 9-2. Specific zoning language as it pertains to permitted uses, conditional uses, setback requirements and more can be found for Vilas County and Presque Isle in Appendices 9-1 - 9-3.

Table 9-2
1999 Existing Zoning District Acreage
Town of Presque Isle

Zoning District	Land in Acres	Percent of Total
Single-Family R-1	4,401.4	9.0
Multi-Family	2,989.0	6.1
General Business	1,019.3	2.1
Community Business	0.0	0.0
Recreational	16,463.9	33.5
Industrial	0.0	0.0
Forestry	14,521.8	29.6
Agricultural	0.0	0.0
All Purpose	157.6	0.3
P.U.D.	0.0	0.0
Surface Water	9,586.3	19.5
TOTAL	49,139.3	100%

Source: Vilas County Mapping Department

Figure 9-2
Existing Zoning as Percent of Total Use
Town of Presque Isle



Source: Vilas County Zoning Department

Counties are mandated to promulgate and adopt a zoning ordinance that regulates land use in shoreland/wetland and floodplain areas for the entire area of the county outside of villages and cities, which Vilas County has also done. This ordinance supersedes any town ordinance unless a separate town ordinance is more restrictive (of which Presque Isle's is more restrictive). The shoreland/wetland and floodplain area is that area that lies within 1,000 feet of a lake, within 300 feet of a navigable stream, or to the landward side of a floodplain whichever distance is greater. All shoreline property in the town comply with the recently adopted Lakes Classification and Shoreline Zoning Ordinance. The Town of Presque Isle does have a land division ordinance which applies throughout the town. The town also has its own zoning administration and permitting system.

The town and county should view this town land use plan as a formal statement of town policies regarding land use and development and utilize it as a guide for reviewing subdivision plats, certified survey maps, rezoning requests, possibly updating the town zoning map, and other land use proposals. It may be necessary to revise existing or add new zoning districts that reflect the intent of the preferred land use map. It is the intent of the Town of Presque Isle to work with Vilas County to implement preferred land use to enable the town and the county to best accommodate, plan, and manage land use.

9.3 Permit Analysis

Land use activity can be tracked by a variety of means. Typically the issuance of permits relate the incidence of new housing starts, rezonings, or the number of land transactions into activity trends that impact the landscape. Table 9-3 provides total figures for the various types of permits and land development activity that have occurred in Presque Isle since 1980. Residential building permits and permits for commercial structures are found in Table 9-4.

**Table 9-3
Development Activity
Town of Presque Isle**

Item	Activity	Total 80-89	Total 90-98	Total 80-98
Rezoning	Petitions	1	6	7
	No. of Lots	Many*	6/750A ¹	>6/750A
Subdivisions ²	No. of Plats	835	2299	30134
	No. of Lots			
Conditional Use	No. Permitted	2	7	9
Condos	No. Submitted	0	15	15
	No. of Units			
Sanitary	New	18454	219129	403183
	Replace			
Lots ^{2, 3}	No. <5 Acres	105	125	230
Parcels Created	R.O.D. Records	274	214	488

*The number of lots rezoned cannot be determined. A large section of land was typically rezoned.

¹Acres

²The no. of lots and plats do not include lot splits, outlots, or lots greater than 5 acres.

³No. of lots do not include lot splits, outlots or lots >5 acres, nor land divisions created via certified survey maps of 2 lots or less.

Source: Vilas County Zoning Office.

Building Permit Data

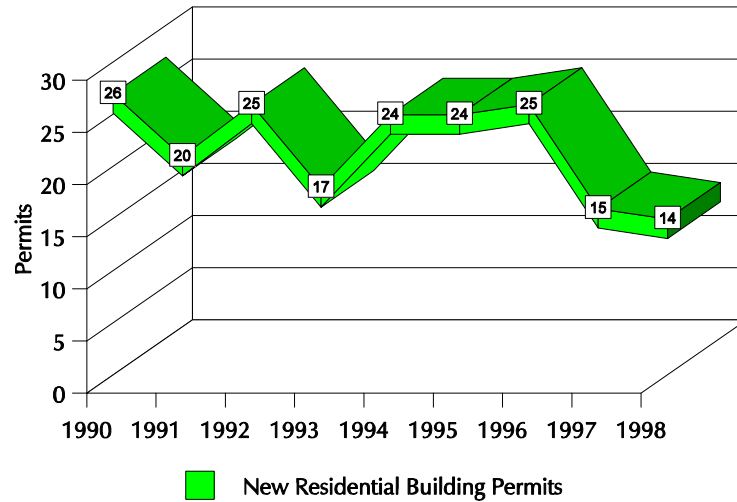
An additional measure that assists in the illustration of the growth in residential housing and commercial development activity for the Town of Presque Isle is building permit activity. Table 9-4 displays the building permit activity for the Town of Presque Isle as recorded by the Vilas County Zoning Department Annual Reports which includes development within the shoreland zone. Figure 9-3 displays the 1990-98 trend for new residential building permits in Presque Isle.

Table 9-4
Residential and Commercial Building Permit Activity
Town of Presque Isle
1980-1998

Year	Single Family Permits	Multi-Family Permits	Mobile Home Permits	Total Residential Permits	Commercial Permits	Total Permits
1980-89	163	0	6	169	2	171
1990	25	0	1	26	1	27
1991	20	0	0	20	0	20
1992	25	0	0	25	1	26
1993	16	0	1	17	0	17
1994	23	0	1	24	0	24
1995	23	0	1	24	1	25
1996	25	0	0	25	1	26
1997	14	0	1	15	1	16
1998	14	0	0	14	1	15
Total 90-98	185	0	5	190	6	196
Total Permits 80-98	348	0	11	359	8	367

Source: Vilas County Zoning Office Annual Reports, 1980 - 1998.

**Figure 9-3
Trend in New Residential Building Permits
Town of Presque Isle
1990-1998**



Source: Vilas County Zoning Office Annual Reports, 1990-1998.

The Town of Presque Isle has averaged 21 residential building permits per year since 1990, with a peak of 26 permits in 1990. The 1980-1998 per year average is 19 (residential only). Commercial permit activity has been low, with only eight permits issued since 1980. For purposes of this report, it is assumed the building permit is intended for a new structure, not replacement of an existing structure. Vilas County does not track new/replacement information as a part of the permitting process. According to Vilas County Zoning Department staff, the percentage of replacement buildings per total permits granted is less than five percent on a county-wide basis.

Overall, 364 lots or five acres or less were divided between 1980 and 1998, and 403 new sanitary permits were issued. According to Table 9-4, 359 residential building permits were issued during the same time frame. Comparing the building permit data to sanitary permits, and the number of lots created, a general indication of land conversions can be constructed.

It must be assumed all lots were created for purposes of development, and building or sanitary permits were issued for newly created lots. Assuming the recently issued sanitary permits correspond to new development, and the average lot size of new development was 1.25¹ acres, then approximately 503.75 acres of land were developed to intensive use since 1980.

¹ Lot sizes typically conform to county zoning minimums: 20,000 ft² in lake frontage, 1.5 acre back lots, and 5 acres in the forestry zone.