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**9.0 EXISTING LAND USE**

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## Introduction

Land use is the central element of a comprehensive plan. Previous chapters have discussed:

- Projected population growth;
- The quality housing available in the Town and potential future housing needs;
- Transportation network challenges with increasing population growth;
- Available utilities and community facilities;
- Local business choices and economic growth opportunities; and,
- Empire’s abundant natural resources.

For ease of understanding, the Land Use information portion of this comprehensive plan is broken down into two chapters. This chapter focuses on current land uses, regulations, trends and opportunities. Chapter 10 discusses desired development patterns, community design standards, and coordination with other required plan chapters. Chapter 10 also includes the *Future Land Use Maps*.

Of the 14 local planning goals provided in the Comprehensive Planning Law, Empire believes that the goals listed below specifically relate to planning for land use:

- Promotion of the redevelopment of lands with current infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial and industrial structures.
- Encouragement of neighborhood designs that support a range of transportation choices.
- Protection of natural areas, including wetlands, wildlife habitats, lakes, woodlands, open space and ground water resources.
- Protection of economically productive areas, including farmland and forests.
- Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state governmental and utility costs.
- Preservation of cultural, historical and archaeological sites.
- Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial and industrial uses.
- Balancing individual property rights with community interests and goals.
- Planning and development of land uses that create or preserve varied and unique urban and rural communities.

To appreciate Empire’s rural character, one only needs to look at the landscape. From Lake de Neveu, to the Niagara Escarpment and across the rolling farmfields hills, Empire is a beautiful community with wonderful views and expanding development potential. These attributes are echoed in the value statements presented in Chapter 1 and the strengths, weaknesses, opportunities and threats listed in Chapter 2.

## **Current Land Use Inventory**

The *Current Land Use Map* was created from information provided by the Town of Empire. The descriptions of the land use categories illustrated on the *Current Land Use Map* are as follows.

### **SINGLE-FAMILY RESIDENTIAL**

Single-family residential development is spread throughout the Town with the vast majority concentrated within subdivisions in the western portion of the Town. Residential development also lines many town roadways. Information about the characteristics and quality of the housing supply is available in Chapter 4.

### **MULTIPLE-FAMILY RESIDENTIAL**

Multiple-family dwellings are defined as residential units with three or more units per structure. Apartments, quadplexes, and senior housing are each examples of multiple-family dwellings. There is very little multiple-family development in the Town. For more information about housing refer to Chapter 4.

### **COMMERCIAL**

Commercial land uses are concentrated primarily along STH 23. Chapter 8 profiles economic development opportunities in Empire.

### **INDUSTRIAL**

Industrial land uses, as shown on the *Current Land Use Map*, include light and heavy industrial activities. Industrial properties are scattered throughout the community. To learn more about area economic development opportunities, refer to Chapter 8.

### **MINING**

Non-metallic mining operations located in the Town are shown on the *Current Land Use Map*. For more information about non-metallic mining, refer to the Agricultural, Natural and Cultural Resources Chapter (7), as well as the Economic Development Chapter (8).

### **UTILITIES**

Utilities include schools, parks, cellular towers, sanitary districts, electric substations, and lands owned by other service providers. More information is provided in Chapter 6.

### **CEMETERIES**

Cemetery locations are also illustrated on the *Current Land Use Map*. A detailed profile of each cemetery is included in the Utilities and Community Facilities Chapter (6).

## UNDEVELOPED / PRESERVED OPEN SPACE AREAS

Areas classified as “undeveloped” include residential subdivision lots that are not yet developed, permanently preserved open spaces within subdivisions, and other areas that are not classified as wooded, wetland or farmland (i.e. shrub covered, open space).

## WATER FEATURES

Water features include ponds, streams, creeks, drains, and Lake de Neveu. To learn more about surface water see Chapter 7.

## GOVERNMENT/INSTITUTIONAL

Government/Institutional uses include churches, medical clinics, the fire station, parks, and the Town hall. For more information about area churches refer to the Cultural Resources portion of Chapter 7. For information about the local school districts refer to the Utilities and Community Facilities Chapter (6). For more information about parks, see Chapters 6 and 7.

The table below is a numerical breakdown of the Current Land Uses in the Town. This table is required by 1999 WI Act 9, Wisconsin’s Smart Growth Law. The net density (total number of dwelling units divided by all residential acres) in the Town is .63 dwelling units/acre (944 housing units/1,507.64 acres).

<b>TABLE 20 CURRENT LAND USE AMOUNT &amp; INTENSITY</b>		
<b>Land Use Type</b>	<b>Amount (in acres)</b>	<b>% of Planning Area (Town Limits)</b>
Single-Family Residential	1,158.85	6.12%
Mobile Homes	20.32	0.12%
Utilities	8.05	0.04%
Commercial	37.67	0.20%
Industrial / Manufacturing	24.45	0.13%
Cemeteries	99.17	0.52%
Institutional	4.61	0.02%
Mining	15.78	0.08%
Recreational	8.19	0.04%
Road Right-of-Way	954.36	5.04%
Farmland	12,172.91	64.31%
Farmsteads	348.79	1.84%
Woodlands	1,051.10	5.55%
Water	185.74	0.98%
Undeveloped	2,841.07	15.01%
<b>Total</b>	<b>18,931.06</b>	<b>100%</b>



# Land Use and Development Regulations

## ZONING

The Town of Empire has adopted and enforces its own local zoning ordinance. The zoning ordinance organizes the community into different districts. Within each district, specific uses are permitted subject to certain requirements.

Empire’s zoning code follows a traditional Euclidean<sup>1</sup> model that seeks to segregate uses by type and establishes dimensional requirements related to lot size, setbacks and building height. As new uses are created over time, they are listed specifically in the zones in which they are permitted. To be effective, this type of code must list every possible use and establish a zone in which that use would be appropriate. Euclidean codes are based on a philosophy that separation of uses will create a safer, healthier environment.

In recent years, the planning profession has developed alternative zoning models based on the building form and performance standards. Form-based zoning codes regulate a community based on the appearance (i.e. building line, landscaping, lighting, signage, building size, building materials, building design) rather than the type of use. Codes based on performance standards seek to regulate based on a particular set of operation standards rather than on particular type of use. Performance standards provide specific criteria for limiting noise, air pollution, emissions, odors, vibration, dust, dirt, glare, heat, fire hazards, wastes, traffic impacts and visual impacts of a use. With this approach, the proposed use is not a factor in development. If all operation standards can be met, any use can be permitted adjacent to another. Some communities are also using hybrid-zoning codes that combine performance and form-based zoning criteria to regulate land use. The *Town of Empire Zoning Ordinance* includes some performance standards, which may benefit the community in the future as it will allow for greater flexibility in land use decisions.

Table 24 provides a breakdown of the different zoning districts found in the Town of Empire. For additional information refer to the Town of Empire Zoning Ordinance.

### ...COMMUNITY SURVEY SPOTLIGHT...

Q10: The Town adopted a zoning ordinance in 1999 that divides the town into six different zoning categories, do you believe the ordinance should be:

Maintained as is:	42.4%
Completely redone:	4.1%
Don't know:	42.9%
Slightly revised:	6.4%
Eliminated:	2.8%
Other:	1.3%

Q3: In your opinion, how effective are Empire's zoning restrictions?

Too restrictive:	11.8%
Not restrictive enough:	30.4%
Unfamiliar with regulations:	57.8%

<sup>1</sup> Reference to *Euclid vs. Amber Realty Company*, 1926 U.S. Supreme Court Decision, which serves as the foundation for zoning practice in the United States.

**TABLE 21  
TOWN OF EMPIRE ZONING DISTRICTS<sup>+</sup>**

<b>DISTRICT</b>	<b>MINIMUM AREA</b>	<b>MINIMUM FRONTAGE</b>	<b>FRONT SETBACK</b>	<b>SIDE SETBACK</b>	<b>REAR SETBACK</b>	<b>DWELLING HEIGHT</b>
EAU Exclusive Agricultural Use	35 Acres	None	***	25 Feet	25 Feet	35 Feet
AT Agricultural Transition Use	35 Acres	None	***	25 Feet	25 Feet	35 Feet
A-1 General Agriculture	10 Acres	None	***	25 Feet	25 Feet	35 Feet
R-1 Residential	In subdivision w/Public Sewer 20,000 sq ft	75 Feet	***	10 Feet	25 Feet	35 Feet
	With Public Sewer, not in subdivision 1 Acre	100 Feet		10 Feet	25 Feet	35 Feet
	In subdivision w/o Public Sewer 1 Acre	100 Feet		10 Feet	25 Feet	35 Feet
	W/O Sewer and not in a subdivision 1 Acre	100 Feet		10 Feet	25 Feet	35 Feet
BD Business District	1 ½ Acre	None	***	10 Feet	15 Feet	40 Feet
ID Industrial District	2 Acres	None	***	25 Feet	25 Feet	60 Feet

SOURCE: *Town of Empire Zoning Ordinance*

\*\*\*Front setbacks for all districts: 50 feet from ROW on federal, state, county highways, and town roads. 30 feet from ROW on streets platted in subdivisions

<sup>+</sup> Subject to Change. Consult the Town of Empire Zoning Ordinance for Current Requirements.

### **EAU, EXCLUSIVE AGRICULTURAL USE DISTRICT**

The intent of this district is to preserve prime agriculture lands for productive agricultural purposes. Permitted uses are limited to farms, agriculturally-related dwellings, pre-existing dwellings/residential lots and community living arrangements serving eight (8) or fewer persons.

### **AT, AGRICULTURAL TRANSITION DISTRICT**

The purpose of this district is to provide for the transition of agricultural land to other uses in areas planned for eventual urban expansion. Permitted uses are the same as the Exclusive Agricultural Use District. The Town is required, by ordinance, to periodically review these lands to consider rezoning to other uses.

### **A-1, GENERAL AGRICULTURAL DISTRICT**

This district provides for the continuation of small-scale, general agriculture and related uses in those areas generally suitable for farming. Permitted uses include the raising of animals, plants, commercial greenhouses and nurseries, single-and two-family dwellings, community living arrangements (8 or fewer persons), adult family homes, foster homes, family day care homes and utilities/other essential services.

### **R-1, RESIDENTIAL DISTRICT**

High quality, year-round residential development is promoted in this district to provide single-family homesites for residents. Permitted uses include single-and two-family dwellings, community living arrangements (8 or fewer persons), adult family homes, foster homes and utilities/other essential services.

### **BD, BUSINESS DISTRICT**

The BD, Business District, is intended to provide for the “orderly and attractive grouping of convenient locations of local retail stores, commercial offices and establishments serving Town residents.” Conditional uses permitted in the BD district include multiple-family dwellings, community living arrangements (9 or more persons), churches, day care homes, schools, adult-oriented establishments, boarding houses, campgrounds, hotels/motels, kennels, laundrettes, and offices.

### **ID, INDUSTRIAL DISTRICT**

Manufacturing and closely related uses such as horticulture-related, commercial greenhouses and nurseries, utilities/other essential services and major utilities are permitted in this district.

### **CAO, CRITICAL OVERLAY DISTRICT**

The Critical Overlay District is intended to protect the public health and safety by minimizing development in areas prone to unwanted soil erosion and groundwater contamination, on sites difficult to develop, and preserving unique and valuable landscapes and natural features in the Town. The guidelines for earth altering activities are found in the *Town of Empire Zoning Ordinance*.

## **SUBDIVISION REGULATIONS**

The *Town of Empire Land Division Ordinance* outlines procedures for land division, technical requirements, design standards for plats and certified survey maps, and outlines required improvements (i.e. stormwater detention, public and private sewage, land dedication). The ordinance also includes provisions for open spaces in subdivisions, but provides limited guidance for such development design and objectives. The Housing Chapter of this plan outlines some potential changes to the ordinance for local consideration.



## EXTRATERRITORIAL ZONING

Currently, extra-territorial zoning is not in effect in the Town of Empire. There are no plans to establish extra-territorial zoning at this time. The **process for adopting an extraterritorial zoning ordinance**<sup>2</sup> is as follows:

1. Joint Extraterritorial Zoning Committees must be established for each participating community. Specifically, a Joint Extraterritorial Zoning Committee that includes three members from the City of Fond du Lac and three members from the Town of Empire would need to be established.
2. An initial draft extraterritorial zoning ordinance is developed.
3. The initial draft extraterritorial ordinance must be reviewed by each Joint Extraterritorial Zoning Committee. Each Joint Extraterritorial Zoning Committee will comment on the initial draft and a second draft can then be produced.
4. A majority of each Joint Extraterritorial Zoning Committee must vote in favor of the proposed regulations prior to setting a public hearing.
5. After the hearing, the City Council adopts the regulations. The final adopted City ordinance for the extraterritorial area must also be approved by a majority of the Joint Extraterritorial Zoning Committee members. Consequently, the Extraterritorial Zoning Ordinance cannot be approved without at least one Town member vote.

Once in effect, the **criteria for approving or denying extraterritorial zoning requests** could include:

1. The location, nature, and size of the proposed use.
2. The size of the site in relation to the proposed use.
3. The location of the site with respect to existing or future road access.
4. The agricultural productivity of the lands involved and the acreage of productive agricultural land to be converted to non-agricultural use by the proposed use.
5. The compatibility of the proposed use with existing uses on adjacent land.
  - a. The proposed use shall not force a significant change in accepted practices on surrounding lands devoted to farm or forest use.
  - b. The proposed use shall not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.
6. The harmony of the proposed use with the future development of the district.
  - a. The proposed use shall not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.
  - b. Availability of adequate public facilities to accommodate the development shall either presently exist or be provided within a reasonable time.
  - c. The provision of public facilities to accommodate development will not place an unreasonable fiscal impact on the City or the Town.
7. Existing topography, drainage, soil types, and vegetative cover.
8. Whether development will result in undue water or air pollution, cause unreasonable soil erosion, stormwater runoff, or have an unreasonably adverse effect on environmental corridors and the Niagara Escarpment.
9. Compatibility with the *Town of Empire Comprehensive Plan*.

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<sup>2</sup> A zoning ordinance that guides growth within the unincorporated area within 3 miles of the corporate limits of a first, second, or third-class city; or within 1.5 miles of a fourth class city or village. The purpose is to ensure growth that is compatible with current uses. The Town must approve the zoning ordinance for it to take effect.

There are many **potential benefits to approving an extraterritorial zoning ordinance**, including:

- Can provide for smoother transitions between rural and urban land uses.
- Can reduce conflicting land uses, which can reduce citizen complaints and protect property values.
- Can help to promote intergovernmental cooperation and communication.
- Can help to avoid multiple communications towers and similar duplications.
- Can make planning for roads, utilities, recreation facilities, etc. easier.
- Allows for coordination related to protection of sensitive areas and valued natural resources.

### **EXTRA-TERRITORIAL PLAT REVIEW**

The City of Fond du Lac does not have an extraterritorial plat review authority at this time, but Empire and Fond du Lac have mapped planning/growth areas. The Town of Empire 1998 Comprehensive Plan shows anticipated Town and City growth areas. These same growth areas are also illustrated on the *Future Land Use Maps* in this plan.

The City of Fond du Lac has the ability to adopt extra-territorial plat review authority (see box for definition) without forming a joint committee or requiring any Town approval.

The Town will continue to work with the City to ensure growth patterns are consistent with this and future plans.

#### **What is Plat Review?**

An extraterritorial zoning ordinance adopted by a municipality may regulate the subdivision of land within the extraterritorial jurisdiction of that municipality (i.e. within 1.5 miles of a Village and 3 miles of a City boundary). The objective of extraterritorial jurisdiction is to review land divisions that are proposed beyond the municipality to ensure street extensions, environmental corridors, and parks are preserved to provide efficient municipal growth without having to annex extensive rural development.

# Trends in Supply, Demand, and Price of Land

## RESIDENTIAL DEVELOPMENT

Residential development accounts for only about 8% of the land in the Town. From a tax base standpoint, however, it accounts for a far greater percentage of the local tax revenue. This signifies its importance to the Town. As discussed in the Economic Development Chapter (8), residential is the costliest in terms of tax revenue needed to maintain the services and infrastructure associated with that form of development. Despite this fact, the majority of the more than 2,700 people who live in the Town are very happy with the quality residential neighborhoods being developed and want to see rural-country living continue as a primary land use in Empire.

Official WDOA household projections through 2025 estimate the number of households in the Town will increase to 1,100. That translates into roughly 8 new single-family homes being constructed each year. The Town of Empire has experienced growth that exceeds this rate. Given this information, it is likely that the actual number of new homes built in the Town over the next 20 years will be greater than the official projections.

One issue that has been raised is the fact that nearly all of the local housing supply is single-family homes. In the community survey, responses clearly indicate residents have little desire for multiple family housing choices (i.e. rental properties, high-density developments, and other “urban” developments found in nearby Fond du Lac). However, there is a growing realization that residents living in Empire must be able to live and maintain a single family home on a sizeable lot. If they are not able to handle this responsibility, or if they desire some other type of living (i.e. townhomes, condos, etc.) they have to move. This situation particularly challenges the elderly. Accordingly, in the community survey, there was some support for possible senior housing development in Empire. Presently, the Town permits multi-family dwellings in most zoning districts as a conditional use. It is possible, if market conditions are right, that a developer make seek to create a senior housing development to capitalize on the quiet, rural setting within a close proximity to area medical services.

## FARMING

In the community survey and at the public meetings, residents expressed a strong desire to retain farmland. Simultaneously, the local farming economy has continued to see the number of area farms decrease. This can be attributed to diminished farm product returns, aging farmers seeking retirement through land sales, and demand for rural housing. Simple economics also plays a role in the loss of farmland. Farmers have the choice to either rent their farmland or sell their land for several thousand dollars an acre. Long-term agricultural uses are most likely to continue in the easternmost reaches of the township, where development pressures have not been as substantial. The continuation of farmland in the westernmost areas of the Town will require dedicated farmers committed to farming.

Preservation of rural character is contingent upon successful efforts to retain farmland. The Implementation and Agricultural, Natural and Cultural Resources Chapters provide additional detail about strategies, including:

- Encouraging landowners to pursue opportunities to partner with land trusts charged with protection of natural areas and farmland;
- Encouraging landowners to consider cluster and conservation-based development options to preserve farmland;

- Establishing an Agriculture Committee to minimize farmland conflicts through negotiation and open communication;
- Establishing networks, through the Agriculture Committee, to connect farmers who are considering selling their property with other farmers who would like to acquire additional property; and,
- Considering transfer and purchase of development rights program opportunities.

## COMMERCIAL AND INDUSTRIAL DEVELOPMENT

As has been demonstrated throughout this plan, commercial and industrial development represents a very small portion of the community. Local resident sentiment would like to see this continue in the future.

Though still only a small fraction of land in the Town, commercial and industrial activities are becoming more common, especially along STH 23. With the recent expansion of STH 151 and the future expansion of STH 23, commercial and industrial development demands will likely increase near these corridors. It is important to properly locate future commercial and industrial developments in areas that provide convenient access to motorists and Town residents.

## DEMAND

As is reflected in state and local population projections, the Town’s population is expected to steadily increase over the next 20 years. Accordingly, demand for housing is expected to remain strong. New housing construction will be important to meet local demand. Moreover, providing housing for all stages of life and all lifestyles will be important to meet resident demand. By providing some choices, the Town can accommodate the housing demands of families, retirees, and others in need of local housing.

## TRENDS IN LAND AND HOUSING PRICES

Land prices in the Town are expected to steadily rise as more and more people continue to move to the community to take advantage of its great location, natural resources, and other amenities.

## Annexation

In Wisconsin, Cities and Villages cannot instigate annexations. Town landowners have to petition for annexation; then Cities and Villages have to determine whether or not they are willing to annex those parcels.

On April 22, 2004, the Governor signed SB 87 (2003 Wisconsin Act 317), which prohibits a City or Village from annexing any Town territory unless the City or Village agrees to pay the Town, for five years, an amount equal to the property taxes that the Town imposed on that land in the year in which the annexation was finalized.

### What’s a Growth Boundary?

Growth boundaries between Empire and Fond du Lac should be first verbally agreed to and then mapped. A growth boundary represents the planned limit of urban growth for a 10 and 20-year period. These growth lines help the Town to plan for its own growth and development and help limit conflicts between Empire and Fond du Lac. Presently, Empire and Fond du Lac have mapped growth areas within the westernmost portions of the township.

If the Town of Empire is concerned about annexations, the Town should study why residents decide to petition for annexation:

- Do residents want services the Town is unable to provide?
- Does annexation increase the marketability and value of their property?
- Is the annexing municipality more willing than the Town to address their concerns?
- What other issues are involved?

Once the issues have been identified, the Town needs to determine what measures it can, and is willing to take to address those issues. To minimize the potential for annexation, several solutions exist, including:

- Educating landowners about advantages to remaining in the Town in order to prevent annexation.
- Utilizing innovative water and sewer technologies and local sanitary districts to ensure that Town development can be served with alternative systems, rather than requiring annexation by Fond du Lac to extend municipal water and sewer.
- The creative use of a Purchase of Development Rights (PDR) Program. By purchasing the development rights of land adjacent to the Town's common boundaries with Fond du Lac, the bordering land will be less desirable for annexation because its development potential will be gone.

## Opportunities for Redevelopment

Opportunities for redevelopment are typically identified in urban environments. As a rural community, few areas of the town are actually developed – much of the community is wooded, farmland, or undeveloped. Accordingly, opportunities for redevelopment are limited in the Town of Empire. Existing development in the Town is in good condition, not blighted. There is not a great surplus of vacant buildings or brownfield sites.

The only area of the town that has been identified for possible redevelopment is the Town Hall site. The site could be improved to expand office space, meeting space, and storage needs.

## Ordinance Issues and Concerns

In the 1998 Empire Plan, there were several specific recommendations included with respect to changes in the Empire Zoning Ordinance. What follows is a summary of those recommendations and additional suggestions based on the comments received during the development of this plan.

1. *BD, Business District.* Residences are permitted uses in this district. The 1998 plan recommends not allowing business uses in this district (*this should be reconsidered*). The Town may want to consider at least requiring that residential uses in this district obtain a conditional use permit from the Town prior to construction. This process will allow future residents to appreciate the fact that they are located in the Business District.
2. *Terminology Change.* The 1998 plan recommends not using the word “highway” when referring to roadways. The term “highway” is still used in the ordinance. The term is confusing and this change is still recommended.

3. NR District. The 1998 plan recommends establishing a “NR, Natural Resource District”. This new district has not yet been created. The Town could use the natural resource map provided in this plan as a tool for creating this district.
4. Procedural Change. Presently, conditional use permit (CUP) applications are heard by the Board of Appeals (BOA). It is recommended that the Planning Commission, not the BOA, should review CUP applications. Usually, a CUP relates more to planning than an appeal. The Planning Commission is assumed to have a better understanding of the community planning goals, etc. given their role in approving development requests and their involvement in the development of this plan. Moreover, if the BOA denies a CUP, the appeal must go to the courts. When a Planning Commission denies a CUP, the appeal can go to the BOA - potentially saving time and court costs for everyone.
5. Critical Area Overlay District. There are some issues surrounding interpretation and enforcement of the standards with the Critical Area Overlay. Specifically:
  - Currently, the ordinance allows the “Permit Issuer” to review the application and determine if critical areas exist on a site. The ordinance defines critical areas as the Niagara Escarpment, steep slopes (based on required topographic map submittals), and woodlands (using Town of Empire, Drumlin and Remnant Forest Survey). The ordinance also references the 1998 Town of Empire Cultural and Environmental Survey, the Wisconsin Wetland Inventory, and the Comprehensive Plan as tools to identify critical areas.  
  
To help ensure **consistent interpretation**, the Town may want to consider developing a single map that encompasses all critical areas. Empire may even want the entire Town be considered a critical area and subject to the requirements contained in Section 13-1-36.
  - The ordinance does not specifically make reference to **Lake de Neveu, rivers, streams, creeks and drainageways as critical areas**. This change should be made.
  - The ordinance requires the Planning Commission to review site plan applications in critical areas. These submittals may be very technical documents that require expertise to make concise recommendations. As such, the Town may want to consider requiring that these submittals also be reviewed by the Town’s engineering consultant and the costs for such review be paid by the applicant.
  - The Critical Overlay Ordinance does not clearly explain who enforces site plan design changes. Are follow-up inspections done to determine if the “critical areas” have really been protected? Mechanisms for enforcement should be more clearly explained in the ordinance.
6. Empire Land Division Ordinance. Empire regulates cluster development by density in the Empire Land Division Ordinance. The Town may want to consider revising this section and adopting a conservation-based ordinance to better protect natural areas on a site, in addition to the regulation of density.
7. Major Condominium Plat. Empire’s requirements contained within 10-1-30 for Major Condominium Plats are more restrictive than Wis. Stats. 703. The Town should consider discussion with legal counsel to determine if this section is enforceable and to determine other options available to regulate condominiums.

8. Technical Changes for Consistency. Review the *Empire Zoning Ordinance* and *Empire Land Division Ordinance* to address some minor technical consistency issues with respect to minimum parcel sizes, setbacks, roadway width, etc.