



# Manitowoc County Planning and Park Commission **ZONING MAP AMENDMENT**

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## **ZONING MAP AMENDMENT**

A zoning map amendment (rezone) involves changing a parcel or parcels of land from one zoning classification to another which allows a desired land use. It is not granted unless the use meets criteria detailed under State Law and the Manitowoc County General Zoning Ordinance.

## **ZONING MAP AMENDMENT PROCESS**

The following items are required:

- 1) Contact the Town Board where the property is located, for their approval (a list of Town Clerks is included with this application). You will be asked to attend a Town Board meeting to discuss the application. In addition, the town may refer your request to their Town Land Use Committee for review.
- 2) Submit a completed application form with a \$553 non-refundable fee **after** you have received written Town approval of your rezone.
- 3) Provide a map that includes a metes and bounds description of the land being rezoned. (Description needs to be prepared by an attorney or surveyor).
- 4) Attend a public hearing on your application. Contact the Planning Director if you cannot attend.

## **HEARING PROCESS**

After receiving your application materials the Planning Department will notify you in writing of the meeting date and time. In addition, the Planning Department will publish notice of your request for a zoning map amendment in the Herald-Times-Reporter noting the time and location of the public hearing. Notification of the public hearing will be sent to neighboring property owners.

At the hearing, any party may appear in person or be represented by agent or attorney to speak on your zoning map amendment request. It will be up to you as property owner to provide verifiable facts upon which the Commission may base its decision.

After the Commission's recommendation, your request is forwarded to the Manitowoc County Board of Supervisors for action.



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### ZONING MAP AMENDMENT CRITERIA

In review of an application, the Commission will consider the following factors in deciding whether to grant a zoning map amendment.

- 1) Adequate public facilities are present or will be provided to accommodate the use.
- 2) Unreasonable burden will not be placed upon the local unit of government providing public facilities.
- 3) Undue water or air pollution will not result from the zoning map amendment .
- 4) Unreasonable soil erosion or an adverse effect on rare or irreplaceable natural areas will not result from the zoning map amendment.

Other relevant factors under State Law and the Manitowoc County General Zoning Ordinance.

### FARMLAND PRESERVATION EXCLUSIVE AGRICULTURE ZONING REVISION STANDARDS

The following standards are contained in Section 91.48(1) of the Wisconsin Statutes and Section 8.09 (7) of the Manitowoc County Code relating to rezoning land out of the EA, Exclusive Agriculture District.

Land may be approved for a rezone out of the Exclusive Agriculture zoning district by the Planning and Park Commission **only** after the following findings are made:

- The land to be rezoned is better suited for a use not allowed in the farmland preservation zoning district.
- The proposed rezoning is consistent with the town comprehensive plan and the county comprehensive plan that are in effect at the time of the rezoning.
- The proposed rezoning is substantially consistent with the county's farmland preservation plan which has been certified under Wis. Stat. ch. 91 and which is in effect at the time of the rezoning.
- The proposed rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

Wis. Stats. ch. 91 requires Farmland Preservation Zoning Ordinance maps to be substantially consistent with the Farmland Preservation Plan (FPP) maps. Since the zoning of Exclusive Agricultural lands and the FPP are directly related, the following criteria which has been used to establish the FPP maps, should also be considered when evaluating rezones out of the Exclusive Agriculture zoning district:

- Whether the land has historically been used for agricultural use or agriculture-related use.
- Lands containing soils that are suitable for agricultural production; including prime soils, soils of statewide significance, or soils of local significance as defined in the Manitowoc County Farmland Preservation Plan.
- Lands identified as existing and proposed resource conservation areas and scientific and natural areas.
- Significant environmental features including floodplains, wetlands, and woodlands for their natural aesthetics as well as their environmental attributes.
- Mineral extraction sites.
- Lands identified as "agriculture" and "woodlands/natural areas" on the 20-Year Land Use Plan map of the Manitowoc County 20-Year Comprehensive Plan, as well as locally adopted comprehensive plan maps.



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### PLANNING AND PARK COMMISSION DECISIONS

- The Planning and Park Commission recommendation will be one of three: approval, approval with modification, or denial.
- The Planning and Park Commission, submits the request (ordinance) to the County Board with it's recommendations.
- The County Board decision will be one of three, approval, denial, or request modification from the Planning and Park Commission.
- The County Clerk, upon County Board approval, records the official date which the map amendment becomes effective and notifies the town.



# Manitowoc County Planning and Park Commission

Fee (\$553) Received	<input type="checkbox"/>
Receipt #	

## ZONING MAP AMENDMENT APPLICATION

### OWNER / APPLICANT/ AGENT

Current Owner	_____	Applicant/Agent	_____
Address	_____	Address	_____
City/State/Zip	_____	City /State/Zip	_____
Phone	_____	Phone	_____
Email Address	_____	Email Address	_____

### PROPERTY LEGAL DESCRIPTION

\_\_\_\_\_ 1/4, \_\_\_\_\_ 1/4, S \_\_\_\_\_ T \_\_\_\_\_ N \_\_\_\_\_ R \_\_\_\_\_ E Town of \_\_\_\_\_

House /Fire # \_\_\_\_\_ Tax Number \_\_\_\_\_

### PROPERTY INFORMATION

**Existing Zoning District** \_\_\_\_\_ **Proposed Zoning district** \_\_\_\_\_

Please include an air photo identifying the proposed area with dimensions or a description of the area proposed for rezoning including acreage:

Proposed use: (Reason for change)

Return to:  
Manitowoc County  
Planning and Park Commission  
4319 Expo Drive, PO Box 935  
Manitowoc, WI 54221-0935  
(920) 683-4185

\_\_\_\_\_  
Signature (owner or owner's agent) (Required) Date

\_\_\_\_\_  
Signature (applicant) Date