

***ORDINANCE NO.: Z-6—2017-18***

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

***MAJORITY***

1 AN ORDINANCE TO AMEND THE OUTAGAMIE COUNTY ZONING  
2 ORDINANCE. The subject matter of the ordinance having been duly referred and  
3 considered by the Outagamie County Agriculture, Extension Education, Zoning and Land  
4 Conservation Committee and public hearing having been held after giving requisite  
5 notice of said hearing, and a recommendation as required by Section 59.69 of the  
6 Wisconsin State Statutes.

7  
8 Outagamie County Planning Department Rezoning Review recommends approval.  
9 Agriculture, Extension Education, Zoning and Land Conservation Committee  
10 recommends approval.

11  
12 NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning  
13 and Land Conservation Committee bring forward the following ordinance change for the Board's  
14 consideration.

15 BE IT ORDAINED, that the Outagamie County Board of Supervisors does recommend adoption  
16 of the petition of Julio De Arteaga to rezone Lot 2 Certified Survey Map 7420, totaling approximately  
17 seven acres located on the north side of Center Valley Road along the east side of the railroad right-of-  
18 way, in the Town of Center. The proposed rezoning is from the General Agriculture District to the  
19 Industrial District in the Town of Center, Outagamie County, WI, as depicted on the attached review and  
20 map, which by reference is made a part hereof, and

21 BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect in the Town  
22 of Center upon approval by the Outagamie County Board of Supervisors, publication per State Statute  
23 59.14 and 66.0103, and the execution and recording of the above stated deed covenants, and

24 BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a  
25 certified copy of this ordinance to the Town of Center Clerk, the Outagamie County Zoning

1 Administrator, and the Municipal Code Corporation for inclusion in the Outagamie County Code of  
2 Ordinances.

3 Dated this \_\_\_\_ day of November, 2017.

6 Respectfully Submitted,  
7 AGRICULTURE, EXTENSION  
8 EDUCATION, ZONING & LAND  
9 CONSERVATION COMMITTEE

15 \_\_\_\_\_  
16 Daniel Rettler

15 \_\_\_\_\_  
16 Keith Surprise

20 \_\_\_\_\_  
21 Daniel Melchert

20 \_\_\_\_\_  
21 BJ O'Connor-Schevers

26 \_\_\_\_\_  
27 Debra Vander Heiden

33 Duly and officially adopted by the County Board on: \_\_\_\_\_

35 Signed: \_\_\_\_\_  
36 Board Chairperson

35 \_\_\_\_\_  
36 County Clerk

38 Approved: \_\_\_\_\_

38 Vetoed: \_\_\_\_\_

40 Signed: \_\_\_\_\_  
41 County Executive



Department of Development and Land Services  
 Zoning Administration  
 410 S. Walnut St | Appleton, WI 54911  
 Administration Building, 3rd Floor  
 Phone: 920-832-5255 | Fax: 920-920-832-4770  
 www.outagamie.org

TO: Outagamie County Agriculture, Extension Education, Zoning & Land Conservation Committee  
 FROM: David Johnson, Assistant Planning Director  
 DATE: October 23, 2017  
 RE: **Z-16-17; Rezoning Review & Recommendation**

**Background & Analysis:**

*Applicant:* Town of Center  
*Request:* Rezoning From: AGD (General Agriculture District)  
 To: IND (Industrial District)  
*Location:* Town of Center  
 Parcel: Lot 2 Certified Survey Map 7420

This proposal is requesting to rezone the agriculture district portion of lot 2 of certified survey map 7420 totaling ± 7 acres on the north side of Center Valley Road along the east side of the railroad right-of-way in the Town of Center (see attached map). The requested change is from a **General Agriculture District (AGD) to the Industrial District (IND)**.

This site has no access to public facilities for sewer and water to serve this location. The neighboring zoning in the immediate area is agriculture with some industrial across the road to the south. The existing land use in the area is mostly agriculture with a mix of homes and commercial business along Center Valley Road. The future land use map in the Town Comprehensive Plan has the area developing as for future commercial/higher intensity use. The County Comprehensive Plan identifies the area as a mix of commercial, industrial and agriculture.

There is a navigable stream and mapped wetlands in the northwest corner of the property along with some hydric soils which will require a wetland delineation prior to any development. Additionally, there are no known cultural, ecological, historical or other restrictions present.

The Town Board reviewed this proposal on September 11, 2017 and recommended for approval. The Town of Center general zoning is administered by the County; as such, the County is statutorily obligated to document consistency with the County Comprehensive Plan, pursuant to Sec. 66.1001(3) Wis. Stats. Please reference the Z-17-17 Comprehensive Plan Amendment & Recommendation Memo for details pertaining to the history of this development and Comprehensive Plan consistency analysis/amendment recommendation.

**Planning Staff Recommendation**

Based on our review of this proposed rezoning, **COUNTY PLANNING STAFF RECOMMENDS FOR APPROVAL.** This rezoning request is being done to expand an existing agriculture related business and is consistent with the existing development in the area. Also, this location can take advantage of the existing rail along the western edge of the property. Any future development will need to take into consideration the mapped wetlands and potential wetlands on the property along with the stream in the northwest to help protect these environmentally sensitive areas.

**\*\*\*CONDITION APPLICABLE TO STAFF RECOMMENDATION\*\*\*** This recommendation is based on the condition that the County Comprehensive Plan Amendment request (Z-17-17) be approved prior to this rezoning request (Z-16-17). The review process for the Comprehensive Plan Amendment and rezoning requests can run

concurrently, however the rezoning action must occur *after* the Comprehensive Plan amendment both for the Zoning Committees recommendation, and final action by the County Board. This ensures that the rezoning would be completed in a manner that is consistent with the County Comprehensive Plan, per Sec. 66.1001(3) Wis. Stats.

