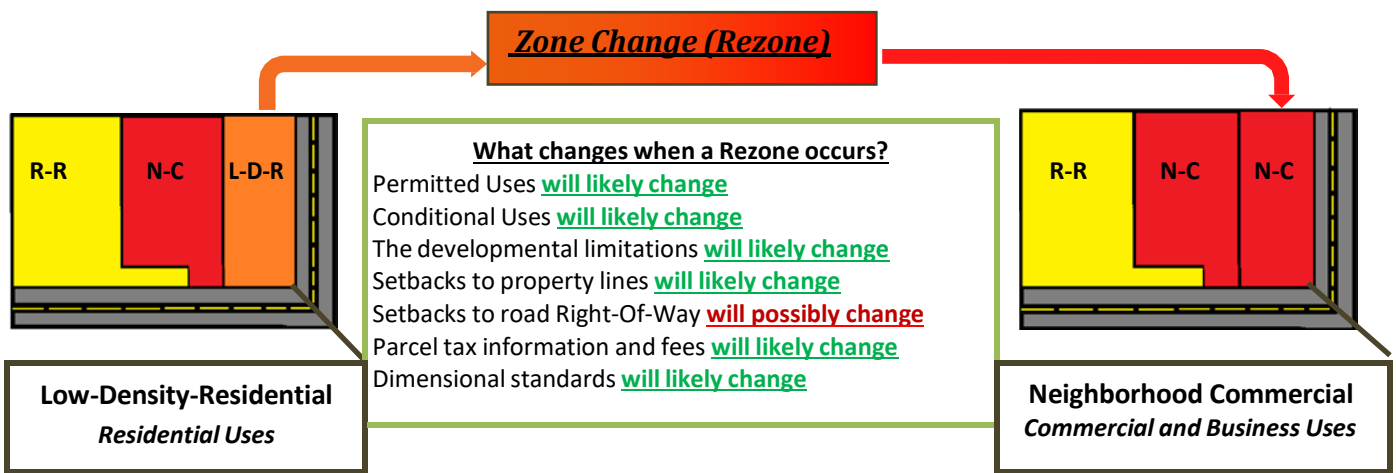


Purpose and Intent of a Zone Change (Rezone):

Rezoning a parcel into a different zoning district can be done for many reasons, the most common being to allow for a land use or dimensional standards that are not permitted in the current zoning district. It is important to remember zoning districts are assigned predominantly based on parcel size, potential land uses, compatibility to the comprehensive plan, as well as adjacent land uses and zoning districts. These parameters as well as others (*See correct application and ordinance sections/standards*) are used to approve or deny a rezone which affects its associated land uses and development potential.

Example of a parcel going from Low Density Residential to Neighborhood Commercial



The main reason for a petition for Rezone is to be able to make available a "land use" that was previously not permitted.

There are two different sets of standards for rezoning a parcel out of a particular zoning district. The first being a rezone out of the Farmland Preservation Zoning District, which is a state certified district with different standards which involve considering a specific state set of requirements. See the applicable application forms and related ordinance sections for all the Farmland Preservation Zoning District standards. All other petitions for rezone will use the general standards and requirements when going through the rezone process, specifics are available on the application form and in Chapter 17 Zoning Ordinance.

These procedures, standards and criteria are intended to accomplish the following:

- | | | | | |
|---|--|---|---|---|
| 1. Facilitate development consistent with Town and County Comprehensive Plans. | 2. Achieve efficient use of the land. | 3. Prevent adverse impacts on adjoining nearby properties and communities. | 4. Protect and strategically improve the county's natural resources. | 5. Ensure full compliance with the standards contained in Ch. 17-Zoning Ordinance or and other applicable local ordinances, as well as state and federal laws. |
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The Rezone Application Process Summary

Step 1: Contact Marathon County's Conservation, Planning, and Zoning Department to determine rezone eligibility.

- The applicant will review the rezone request with CPZ staff to ensure the new zoning district is an appropriate fit for the land use that is being proposed, while ensuring the zoning district is compatible with that particular area as it relates to use and/or dimension.
- It is also recommended the rezone petitioner reach out to the town board to have preliminary discussions on the proposed rezone to see if the town has any initial concerns.

Step 2: Complete application and all required materials.

- A. Fill out the petition for rezone application and include a detailed site map with proposed and existing structures as well as relevant features of the parcel.
 - *All applicaton documents can be found by visiting [Marathon County's Zoning website](#).*
- B. If studies or specific evaluations are required, all information and materials should be provided prior to an official submission.
- C. Parcel divisions and/or combinations should at least have preliminary Certified Survey Maps (CSM) or Plat Survey completed prior to the submittal of the official rezone request.

Step 3: Please schedule an appointment with CPZ staff to review all required documents prior to the application deadline.

- Payment of \$600 must be made to Marathon County Conservation, Planning, and Zoning prior to the application deadline for the application to be deemed complete.
- There are four methods of payment.
 - A. Check made payable to **Marathon County**.
 - B. Electronic Check
 - C. Cash payment
 - D. Credit/Debit Card (There is a convenience fee of 3% for all card payments.)

Beginning of the Rezone process:

1. Petitioner identifies a need for a rezone due to a parcels current zoning district and its limitations related to a proposed development and/or future land use.
2. Petitioner contacts the CPZ Department to determine rezone applicability.
3. Recommended petitioner contact the town as well as any neighbors to see if there is any current opposition to the potential request.

Application:

4. Staff will review preliminary plans and work with the petitioner to complete an application and obtain any necessary additional information.
5. Once all application requirements are met the petitioner can submit their final application (Including the fee) prior to the application deadline (*deadline allows for legal notice publication and enough time for town input*).

Review and Notifications:

6. Rezone Applications are evaluated by CPZ staff to create supporting documents including a public hearing notice, staff reports, as well as other pertinent information.
7. During the review period prior to the public hearing, public hearing notice will be sent out to adjacent property owners within 300', as well as the Towns chair and/or clerk (Towns also may have a Planning Committee who makes recommendations to the Town Board regarding rezones).
Note: Town Board action is not required for a proposed rezone to be approved (per Wis. Stats.,). However, without town resolution/recommendation, the rezone hearing would likely be postponed by the ERC to ensure town input has been obtained and considered.

Public Hearing:

8. At the public hearing, the Environmental Resources Committee will review the proposed rezone as well as the submitted documents and site plans. The committee will consider the standards contained in the Zoning Ordinance and if the rezone is consistent with the County's Comprehensive Plan.
9. CPZ staff will provide a staff report providing information such as: (*Existing and proposed zoning districts, surrounding zoning districts and uses, comprehensive plan future land use, farmland preservation plan, town recommendations, aerial photography, as well as wetland/floodplain maps*)
10. The petitioner will have the opportunity to give any additional details/information or may answer any questions the committee may have regarding the rezone and the future land use. At minimum, the petitioner will be sworn in to answer any question the Environmental Resources Committee may have.
11. Once the public hearing is closed the committee will deliberate and consider all evidence presented.

Outcome(s):

13. **Recommend Approval***: Approval would move the petition for a rezone from the Environmental Resources Committee to the following County Board meeting, which is the final step to getting a parcel rezoned from one district to another.
 - a. Or Approval with Change (see Wis. Stats., 59.69(5)(e))
14. **Recommend Denial**: If a petition for a rezone does not conform to the standards or intent of General Code of Ordinances for Marathon County Chapter 17 – Zoning Code, the committee will recommend denial of the rezone to the County Board.
15. **Postpone Rezone**: Postponing a rezone petition may be requested if the petitioner does not have adequate information to give the committee in order to make a decision/determination. A petition may be postponed if something of significance has changed from the original application in order to meet public notice requirements.

***If the Environmental Resources Committee recommends approval to the County Board, the Petition for Zone Change will then get moved to the next County Board meeting for FINAL approval or denial.**

General Standards for a Rezone

The Environmental Resources Committee (ERC), the recommending body to the County Board, will review the petition and determine if they will approve it to move forward to the County Board.

Decisions on petitions for rezoning land from one zoning district to another, according to the General Code of Ordinances for Marathon County Chapter 17 – Zoning Code, shall consider the following:

1. Existing zoning and use of the lands.
2. Proposed zoning and uses of the lands.
3. Need for the proposed uses.
4. Availability of adequate public facilities to serve the proposed land use change.
5. Reasonableness of the burdens on local government to provide needed services.
6. Suitability of the proposed uses to the existing uses adjacent thereto.
7. Relationship of the proposed uses to the existing uses adjacent thereto.
8. Relationship of the zoning amendment to Chapter 15 (Private Onsite Wastewater Treatment Systems), Chapter 18 (Land Division and Surveying Regulations) and Chapter 22 (Shoreland, Shoreland-Wetland, and Floodplain Regulations).
9. The proposed zoning request is consistent with the intent of the town and county comprehensive plan.

Specific State Standards to Rezone Out of a Farmland Preservation Zoning District

Marathon County may not rezone land out of the Farmland Preservation Zoning District unless Marathon County finds all of the following, after a public hearing, as part of the official written record of the rezoning:

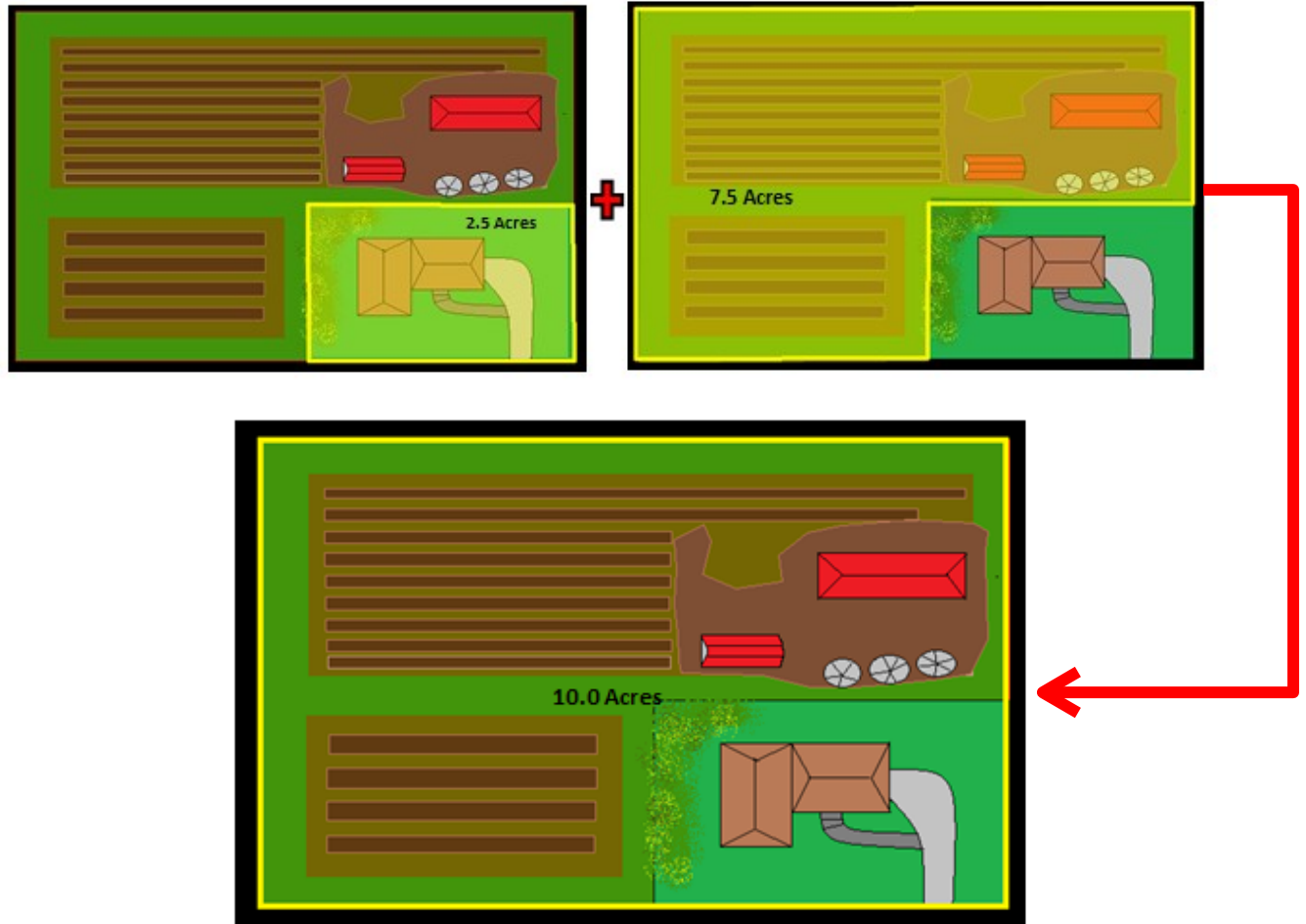
1. The rezoned land is better suited for a use not allowed in the Farmland Preservation Zoning district.
2. The rezoning is consistent with Marathon County and the Town's comprehensive plan.
3. The rezoning is substantially consistent with the Marathon County Farmland Preservation Plan which is in effect at the time of the rezoning.
4. The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.
5. Adequate public facilities to serve the rezone are present or will be provided.
6. Providing of public facilities will not be an unreasonable burden to local government.
7. The rezoning request needs to demonstrate a need for the proposed development.
8. The rezone request will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.
9. The availability of alternative locations has been addressed.
10. The location of the proposed development is to minimize the amount of agricultural land converted.

Rezoning a particular parcel out of a zoning district can be beneficial for current development plans, yet it is crucial to ensure all possible future changes and uses are considered and identified prior to a rezone request. This is to ensure there are no unforeseen restrictions, limitations, or effect to public interest or health associated with the new zoning district and its related uses.

Example Situation:

Current property owner would like to combine a parcel (2.5 acres zoned R-R) with a portion of another adjacent parcel (7.5 acres of agricultural land zoned G-A *attached to 20 total acres*).

Proposed parcel will be 10 acres zoned G-A.



***All parcels affected by the land division must abide by current zoning standards.**

Rezone applications often involve the creation or reconfiguration of parcel(s) that require a survey. All preliminary Certified Survey Maps (CSMs) and legal descriptions shall be provided to CPZ staff prior to the final submission of the petition for Zone Change.

ERC Public Hearing Date	Application deadline (Complete)
1/3/23	11/14/22
1/31/23	12/12/22
2/28/23	1/9/23
4/4/23	2/13/23
5/2/23	3/13/23
5/30/23	4/10/23
6/27/23	5/8/23
8/1/23	6/12/23
9/5/23	7/17/23
10/3/23	8/14/23
10/31/23	9/11/23
12/5/23	10/16/23

Once a decision has been made by Marathon County Board, related pending permits can be issued if all applicable permit requirements have been met. Please contact CPZ staff for further inquiries related to completing the permitting process.

**CONSERVATION, PLANNING AND
ZONING DEPARTMENT**

210 River Drive, Wausau WI 54403

715-261-6000

Online Resources Found by visiting:

<https://www.co.marathon.wi.us/Departments/ConservationPlanningZoning/ZoningandRegulatoryServices.aspx>



**Conservation, Planning,
& Zoning Department**