

Date: April 16, 2012

To: All Town Clerks, Winnebago County

From: Jerry L. Bougie, Winnebago County Director of Planning and Zoning

Re: Town Notification – County Board Adoption of new County Zoning Ordinance –
Procedures for Towns

This letter is to notify all towns in Winnebago County that on March 20, 2012, the Winnebago County Board of Supervisors adopted Ordinance No. 364-32012 (duplicate copy attached) which provides for the adoption of a Comprehensive Revision to the Winnebago County Zoning Ordinance known as Chapter 23, Winnebago County Zoning Ordinance. This ordinance will become effective on April 29, 2012. The adoption of this ordinance also provides for the repeal of the current Chapter 17, Winnebago County Zoning Ordinance, effective one year later, on April 29, 2013.

Also on March 20, 2012 the County Board adopted Ordinance No. 363-32012, Chapter 24, Wittman Regional Airport Zoning Code, and Ordinance No. 365-32012, Chapter 27, Winnebago County Shoreland Zoning Code (copies attached). These ordinances also become effective on April 29, 2012, and all prior provisions of these ordinances are repealed as of this date.

Based on these actions by the County Board, and pursuant to State Statute, please be aware of the following:

1. For town areas outside of County Shoreland Zoning jurisdiction, any town *may* adopt the new Chapter 23, Winnebago County Zoning Ordinance, by adopting Ordinance No. 364-32012 by means of a town board resolution. Given this, please note the following:
 - a. If your town chooses to adopt the Ordinance, the Town Clerk shall promptly file a certified copy of such town board resolution along with a duplicate copy of Ordinance No. 364-32012 with the Winnebago County Clerk.
 - b. If adopted by your Town, the new County Zoning Ordinance (Chapter 23) shall become effective in your Town as of the date of filing as recorded by the County Clerk and reported to the Town Clerk.
2. Towns currently under County Zoning: existing Chapter 17, County Zoning Ordinance, shall remain in effect in your town, for areas outside of shoreland zoning areas, for **up to one year** from the April 29, 2012 effective date, or until such time your town either:
 - a. adopts the new County zoning ordinance as noted in item #1 above, **or**;
 - b. have a town zoning ordinance adopted by both the town board and county board. The town will then be under its own zoning.

3. Towns currently NOT under County Zoning, but decide to come under County Zoning: adopt the ordinance as noted in item #1 above. The County Planning and Zoning Department will then work directly with the town on creating a suitable zoning map which will be submitted to the County Board for approval as an amendment to the new Chapter 23, Winnebago County Zoning Ordinance.
4. Towns currently under their own Zoning that decide to remain under Town Zoning: no town action is required.
5. Shoreland and Airport Ordinances: Beginning April 29, 2012, the following ordinances shall become effective and no town action is required for these ordinances to take effect in the areas described:
 - a. New Chapter 27, Winnebago County Shoreland Zoning Code, shall begin to apply in all shoreland areas throughout Winnebago County. In addition, for shoreland areas, the new Chapter 23, County Zoning Ordinance shall also be in affect on the April 29, 2012 effective date.
 - b. New Chapter 24, Wittman Regional Airport Zoning Code, shall begin to apply in those towns impacted by the airport zoning area (Towns of Algoma, Nekimi, Black Wolf).

Please be aware that additional updates and amendments may be brought forth to the County Planning and Zoning Committee and County Board as the new zoning ordinance evolves, and certainly the towns will be notified accordingly. For example, the County is awaiting final certification from Wisconsin DNR on the County Floodplain Ordinance and awaiting legal review on renewable energy provisions (wind and solar).

The Winnebago County Planning and Zoning Department and Committee wishes to express its appreciation and thank you to the town steering committee representatives that participated in the creation of the new zoning ordinance. The successful adoption of the new ordinance could not have been done without their invaluable input and participation.

If you have any questions regarding this letter, please contact either Jerry Bougie or Brian O'Rourke at 920-232-3340; email: jbougie@co.winnebago.wi.us; or borourke@co.winnebago.wi.us

Thank you.

Enclosures: County Ordinance No. 364-32012 (for County Zoning Ordinance – Chapter 23)
County Ordinance No. 363-32012 (for Wittman Regional Airport Zoning Ordinance – Chapter 24)
County Ordinance No. 365-32012 (for County Shoreland Zoning Ordinance – Chapter 27)
Winnebago County Zoning Ordinance Document (includes Chapter 23, 24, 27)

CC: Winnebago County Planning and Zoning Committee
Mark Harris, County Executive
Dave Albrecht, County Board Chairman
Cary Rowe, Brian O'Rourke, County Planning and Zoning Dept.
Tim Schweke, Civitek Consulting