

TOWN ZONING

Potential Benefits of Town Zoning:

1. Local Administration and control of ordinance in non-shoreland zoning areas.
2. Town retains sole right of approval/denial for permits, conditional use applications and variances in non-shoreland zoning areas.
3. Due to local administration and control, application decisions can usually be processed sooner.
4. Fees for permits and approvals under town zoning potentially lower for applicants.

Potential Concerns of Town Zoning:

1. Zoning changes under Town zoning still require County Board approval, per state law.
2. Town incurs cost to administer ordinance, such as: issuing permits, receive legal assistance, enforcing ordinance, publish meetings and notices, conduct meetings, & other misc. operational costs.
3. Liability of ordinance rests with town.

General Comments – Town Zoning:

1. Entire town remains under other County ordinances: i.e. County stormwater & erosion control ordinance (except Omro, Menasha), County subdivision, County sanitary ordinance. Therefore, applicants still need to inquire w/ County on development projects.
2. All shoreland zoning areas in town remain under county authority, per state law.
3. Given above, town under different jurisdictions and requirements depending on location and purpose of proposed development.

COUNTY ZONING

Potential Benefits of County Zoning:

1. Administration of zoning ordinance (including development standards) applied uniformly and consistently within town and across every town under County Zoning.
2. One-stop shopping and seamless review for all permits and approvals – zoning, sanitary, stormwater/erosion control, subdivision.
3. Liability of zoning ordinance falls on County, not town.
4. Costs of zoning ordinance administration and enforcement incurred by County, not Town
5. All enforcement activities, including court action responsibility of County.
6. Town retains right of denial for zoning changes, text amendments, conditional use applications in non-shoreland zoning areas. Town also retains right to include town concerns on conditional use applications.

Potential Concerns of County Zoning:

1. Adopting County zoning is a permanent action – there is no provision in state law to allow a town to get out (unless county does a comprehensive revision).
2. Concern that local control may be lost or diminished.
3. Fees for permits and approvals under county zoning potentially higher for applicants.

General Comments – County Zoning:

1. Ordinance administered by professional staff who are accountable to the public via County Executive and County Board of Supervisors and Planning and Zoning Committee.