



**APPLICATION FOR REZONING**

Community Development Department  
 100 N. Appleton St. PH: 920-832-6468  
 Appleton, WI 54911 FAX: 920-832-5994

Stamp date received

PROPERTY OWNER		APPLICANT (owner's agent)	
Name		Name	
Mailing Address		Mailing Address	
Phone	Fax	Phone	Fax
E-mail		E-mail	

PROPERTY INFORMATION	
Property Tax # (31-0-0000-00)	
Site Address/Location	
Legal Description of Land proposed for Rezoning including to the center line of right of way(s) <b>*Please submit an electronic copy of the legal description in Microsoft Word format.</b>	
Current Zoning:	Proposed Zoning:
Current Uses:	Proposed Uses:
Lot Dimensions and Area:	

PLEASE STATE REASON(S) FOR REZONING REQUEST

Date	Owner/Agent Signature (Agents must provide written proof of authorization)

OFFICE USE ONLY			
Application Complete _____	_____/_____/____	Date Filed _____	_____/_____/____
Fee \$400.00	Acct #15020.5002	Receipt # _____	Date Paid _____

## **WHAT IS A REZONING?**

A Zoning designation regulates use, size and development of a parcel. A Rezoning is the procedure that changes the Zoning designation and amends the Official Zoning Map of the City.

## **WHERE DO I START?**

Contact the Community Development Department to discuss interest in Rezoning. The staff will provide information regarding the 2010-2030 Comprehensive Plan, permitted uses, surrounding uses and possible nonconformities.

## **WHAT'S NEXT?**

A complete submittal includes an application (signed by the property owner or his/her designee), a legal description of the land to be rezoned and the appropriate fee. The Community Development Department files the complete submittal with the City Clerk.

City departments make recommendations to the Plan Commission. The Plan Commission holds an Informal Hearing to review staff comments and makes its recommendations to the Common Council. Notice of the hearing is sent to the petitioner, Alderperson of the district, property owners within 100 feet of the lot to be rezoned and/or the town clerk. A recommendation to the Common Council is made within 45 days of the Informal Hearing.

A notice of the Public Hearing is published in the newspaper for two consecutive weeks before the Common Council meeting. At the Public Hearing, the Common Council formally approves, refers the item back to the Plan Commission or denies the Rezoning. If approved, the City Attorney drafts an Ordinance. The Common Council approves or denies the Ordinance.

**Note:** *If the Plan Commission unanimously denies a Rezoning request or if a valid remonstrance is filed, the Rezoning will not become effective except by the favorable vote of three-fourths of the Common Council.*

## **WHAT IS THE FINAL ACTION?**

The approved Ordinance is published in the local newspaper. Upon publication, the Rezoning is final.

**Note:** *If the Common Council denies a Rezoning request, the applicant must wait a year before submitting the same Rezoning request. If the applicant withdraws the submittal prior to Common Council action to deny, the year wait to resubmit does not apply.*

## CHECKLIST FOR REZONINGS

23-65(d)(2) The application form shall contain, at a minimum, the following information:

- a. Applicant and property owner's name, address and telephone number.
- b. Parcel information, including tax key number, legal description, street address, if any, dimensions and existing zoning and land use.
- c. Present zoning district and use of the property.
- d. Proposed zoning district and description of proposed land use and/or structures.
- e. Justification for rezoning.
- f. Map of area, drawn to scale, outlining the parcel(s) requested for rezoning, identifying all adjacent streets, properties, existing zoning and present uses on all adjacent properties.

Section 23-65(d)(3) **Standards for map amendments.** All recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals and policies of the City and with the intent of this zoning ordinance.

a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one (1) of the following:

1. The request for a zone change is in conformance with the 2010-2030: Comprehensive Plan for the City of Appleton.
2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map, is inadequate to meet the demands for such development.
3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
4. There is an error in the code text or zoning map as enacted.

b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:

1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site.
2. The effect of the proposed rezoning on surrounding uses.