

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS

Your Planning and Zoning Committee begs leave to report:

WHEREAS, it has reviewed the Petition for Zoning Amendment # 19-TA-001 filed with the County Clerk by: Winnebago County Planning & Zoning Committee

and referred to the Planning & Zoning Committee on February 12, 2019 and March 19, 2019 and

WHEREAS, Public Hearings were held on February 26, 2019 and March 26, 2019 pursuant to mailed and published notice as provided by law on the following:

PROPERTY INFORMATION:

Applicant(s): Winnebago County Planning & Zoning Committee
PO Box 2808
Oshkosh WI 54903-2808
920-232-3344

WHEREAS, applicant is requesting an amendment to the Sawyer Creek floodplain maps to include the Letter of Map Revision (LOMR) for the Sawyer Creek Floodplain Study effective March 27, 2019.

WHEREAS, we received notification from the Towns of:

1. The Towns of Nekimi, Omro, Oshkosh, Rushford, Vinland and Winneconne recommended denial of amendment. The Towns of Utica, Neenah and Wolf River recommended approval of the amendment. (Town action is optional and advisory only.)
2. There was no response or action taken by the Towns of Algoma, Black Wolf, and Clayton, Nepeuskun, Poygan, Rushford, Winchester and Wolf River. (Town action is optional and advisory only.)

WHEREAS, your Planning & Zoning Committee, being fully informed of the facts, and after full consideration of the matter, make the following findings:

1. The committee acknowledges that there are many benefits to adopting the new Sawyer Creek Floodplain Study (Letter of Map Revision) including but not limited to: lowering the base flood elevation of Sawyer Creek, protection of existing floodplain areas by adopting flood storage districts, county control of over 400 acre feet of existing flood storage, additional protection of downstream property owners from property damage and additional protection of access routes to EMS facilities.
2. The adoption of the Sawyer Creek Floodplain Study (Letter of Map Revision) would require additional flood plain ordinance language that is more restrictive than state standards.
3. The county is not required to adopt floodplain standards more restrictive than the state.
4. The proposed flood storage areas to be mapped that are in the unincorporated area of the county are privately owned and extend beyond the mapped floodplain of Sawyer Creek.
5. There are eight mapped flood storage areas in the unincorporated area of the county accounting for 47.4% of the storage volume of all the mapped storage areas in the study.
6. Two of the 31 property owners of the mapped flood storage areas objected to the adoption of the Sawyer Creek Floodplain Study (Letter of Map Revision) and 28 property owners may not be aware of additional restrictions that would be imposed upon their property.
7. There is no benefit to the private property owners of the proposed flood storage areas to be regulated.
8. Additional regulations placed on private property owners of the proposed flood storage areas is unnecessary and burdensome.
9. The Towns of Nekimi, Omro, Oshkosh, Rushford, Vinland and Winneconne recommended denial of amendment. The Town of Utica recommended denial of the amendment for the first public hearing but recommended approval of the amendment for the second public hearing assuming the county was required to adopt

amendment. The Towns of Neenah and Wolf River recommended approval of the amendment. (Town action is optional and advisory only.)

10. There was no response or action taken by the Towns of Algoma, Black Wolf, Clayton, Nepeuskun, Poygan, Rushford, Winchester and Wolf River. (Town action is optional and advisory only.)

NOW THEREFORE BE IT RESOLVED, that this committee has prepared the enclosed amendatory ordinance effectuating this change for your consideration and is hereby recommending denial by a vote of 4-0.

NOW BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the enclosed ordinance is hereby [ADOPTED] or [DENIED].

For the Planning & Zoning Committee

AMENDATORY ORDINANCE #
04/02/19

The Winnebago County Board of Supervisors do ordain Zoning Amendment # 19-TA-001 as follows:

Applicant is requesting an amendment to the Sawyer Creek floodplain maps to include the Letter of Map Revision (LOMR) for the Sawyer Creek Floodplain Study effective March 27, 2019.

Adopted/ Denied this _____ day of _____, 20 _____.

Shiloh Ramos, Chairperson

ATTEST:

Sue Ertmer (County Clerk)

APPROVED BY WINNEBAGO COUNTY EXECUTIVE THIS _____ DAY OF _____, 20 19 _____.

Mark Harris
(County Executive)

SAWYER CREEK FLOODPLAIN

Information can be found at:

<https://www.co.winnebago.wi.us/planning-and-zoning/sawyer-creek-floodplain-update>