



COLUMBIA COUNTY

Planning & Zoning Department

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Public Hearing Item 6: Rezoning from Agriculture to Industrial

Petitioner/Owner: **Grand River Distribution, LLC**
Description of Property: **Part of the NE 1/4 of the SW 1/4, Section 5, T12N, R12, Town of Courtland, Tax Parcel 108**
Site Address: **Cabbage Road**
Hearing Date: **June 6, 2006**

Background

Grand River Distribution, LLC, owners and petitioners, request the Planning and Zoning Committee review and recommend approval of a rezoning of about 10 acres from Agriculture to Industrial for property located on the south side of Cabbage Road. The subject parcel is shown on the attached air photo, which shows the land proposed for rezoning is across Cabbage Road from property owned by Didion Milling that is located in the Village of Cambria. In March 2003 the County Board rezoned the subject property to Industrial; however, the rezoning was only effective upon the construction of an ethanol plant. On April 7, 2003 the Village of Cambria enacted an extraterritorial zoning ordinance and the Conditional Use Permit required for the ethanol plant was not put forward for consideration. The extraterritorial zoning ordinance expired two years after it was enacted, and the Village cannot adopt another extraterritorial zoning ordinance for another two years. When the rezoning was approved in 2003, the property had not yet been purchased by Grand River Distribution LLC. The attached photo is from a 2002 flight and shows the land in cultivation; however, since the property has been acquired by Grand River Distribution, LLC there has been no cultivation on the property.

Town Board Action

The Town Board met on May 2, 2006 and recommended approval of the rezoning. The Town stated their comprehensive plan encourages rural and farm related industries that will have a positive impact on the area and agricultural economy and finds the proposed rezoning and use are consistent with their plan. Also, the land proposed for industrial use is adjacent to existing industrial land that has access to rail and highway, as well as gas lines. The Town considers the ethanol plant an appropriate use of the land.

Analysis

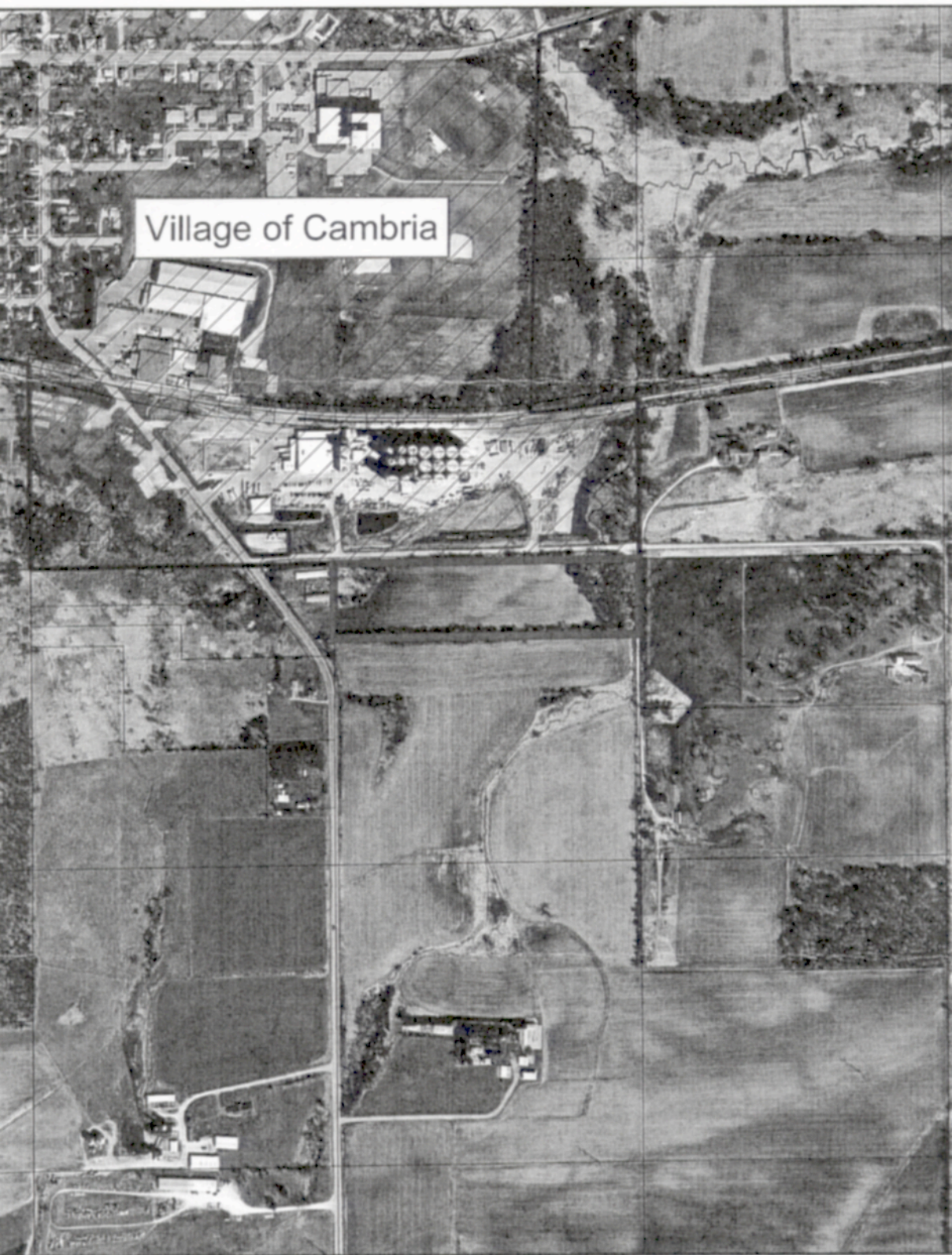
The analysis for compliance with Section 91.77, Wisconsin Statutes and County requirements for farmland preservation that is on file in the Planning and Zoning Office indicates the property proposed for rezoning generally complies with the rezoning criteria. Issues associated with the condition of Cabbage Road and its ability to serve both the proposed industry and farms east of the property will have to be resolved. Also environmental concerns will be dealt with through the Conditional Use Permit process and ultimately many permits that will have to be reviewed and approved by the Wisconsin Department of Natural Resources.

The location of adjacent industrial uses in the Village and the availability of the transportation and other utilities favors the long term use of this property for industrial land uses. While the scope of this review is limited to whether the site is appropriate for industrial zoning, the proposed use of the property for an ethanol plant can not be totally ignored; however, as previously noted the issues associated with this proposed development will be dealt with via a Conditional Use Permit. Also, because there are many allowed uses in the Industrial District which may not be the best long term use of the property, consideration should be given to making the rezoning effective upon the approval of a Conditional Use Permit for an ethanol plant. Finally, as was the case in 2003, the zoning should expire within a specified time if the Conditional Use Permit is not obtained for an ethanol plant.

Recommendation/Conditions

- 1) Staff recommends approval of the rezoning from Agriculture to Industrial effective upon the approval of a Conditional Use Permit for an ethanol plant and the amending ordinance will expire two years from the date of adoption if the owner fails to obtain approval of a Conditional Use Permit permitting the construction and operation of an ethanol production facility on the subject property.

DIDION REZONING



Village of Cambria

Zoning

- PROPOSED REZONING
- AGRICULTURAL
- AGRICULTURAL II
- SINGLE FAMILY
- MULTIPLE FAMILY
- RURAL RESIDENTIAL
- COMMERCIAL
- HWY INTERCHANGE
- INDUSTRIAL
- MARINA
- RECREATIONAL

