

**ORDINANCE NO. 3799**

**AN ORDINANCE AMENDING THE CITY OF FOND DU LAC 2040  
COMPREHENSIVE PLAN**

The City Council of the City of Fond du Lac do ordain as follows:

**WHEREAS**, the Plan Commission of the City of Fond du Lac adopted the "City of Fond du Lac 2040 Comprehensive Plan" (Comprehensive Plan) via Plan Commission Resolution No. 2021-01 and the City Council adopted the Comprehensive Plan via Ordinance No. 3731, and

**WHEREAS**, the Comprehensive Plan adopts the "Future Land Use Map", incorporating the recommended future land use goals and policies into Chapter 9: Land Use; and

**WHEREAS**, the "Future Land Use Map" guides future planning and location of development that will meet the said goals and policies of Chapter 9: Land Use and Comprehensive Plan; and

**WHEREAS**, the Future Land Use Map may be amended following the criteria set forth in Chapter 9: Land Use; and

**WHEREAS**, the amended Future Land Use Map will correct in oversight in the initial review of the Future Land Use Map by reflecting the existing use of the parcels as industrial, the ongoing uses of these parcels for such and the location does not support commercial use; and

**WHEREAS**, a copy of the Future Land Use amendment is attached hereto as Exhibit A as Comp Plan Amendment No. 4, incorporated by reference, and

**WHEREAS**, the Plan Commission recommended approval of the Comprehensive Plan amendment at its meeting held on September 16, 2024.

**Now therefore, the City Council of the City of Fond du Lac do ordain as follows:**

PART I. The "City of Fond du Lac 2040 Comprehensive Plan" and Future Land Use Map are hereby amended to the depicted in Exhibit A of this resolution.

PART II. All ordinances and parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. The provisions of this ordinance shall be in full force and effect from and after its passage and publication.

**ADOPTED:**



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Tiffany Brault, President  
Fond du Lac City Council

SEP 25 2024

Attest:

City Attorney:



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Margaret Hefter, City Clerk

Reviewed 

# ***CITY OF FOND DU LAC - Memorandum***

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Department of Community Development

**Date:** September 10, 2024  
**To:** Plan Commission  
**From:** Dyann Benson, Community Development Director  
**Re:** Comprehensive Plan Amendment No. 4

**Location:** Parcel Number: FDL-15-17-16-41-018-00, 6.45 acres;  
Parcel Number: FDL-15-17-16-41-015-00, 2.398 acres;  
Parcel Number: FDL-15-17-16-41-017-00, 0.138 acres;  
Parcel Number: FDL-15-17-16-41-033-00, 0.607 acres;  
Parcel Number: FDL-15-17-16-41-034-00, 1.22 acres

**Request:** Change comprehensive plan land use designations from General Commercial to Industrial.

**Existing Land Use:** Sites: Industrial/Storage/Office Uses, Residence  
North: Residential  
South: General Commercial Uses Mixed with Residential  
East: Residential with Commercial  
West: Residential with Commercial/Manufacturing

## **Analysis**

The Comprehensive Plan identifies where growth should occur and makes recommendations of future development. Reflective of the dynamics of development and growth, the Comprehensive Plan carries an expectation that amendments would be needed to address changing conditions of land use and development.

The five parcels identified above are located north of Military Road, west of Hickory Street and about 11<sup>th</sup> Street. The Comprehensive Plan identifies all five parcels for future general commercial uses.

144 Real Estate LLC is requesting a rezoning of the parcels: FDL-15-17-16-41-034-00 to M-1 Manufacturing District.

The current use of these properties is consistent with an industrial land use and manufacturing zoning designation. The properties are unlikely to convert to a General Commercial Use given their lack of visibility from Military Road or Hickory Street and the

predominance of West Johnson and East Johnson Street as the City's primary commercial corridor. Any general commercial development would likely seek a Military Road frontage.

To facilitate future industrial development and be consistent with the current and future use of these parcels, a change of zoning from commercial to industrial is proposed. In considering appropriate zoning for a property, continuity between zoning and land use is required. In other words, the *zoning* of a property must reflect the *use* of the property. The proposed industrial zoning of the subject properties conflicts with the existing land use designations for commercial uses; therefore, a change to the Comprehensive Plan is necessary in order for the zoning to change.

The suggested industrial land use designation would represent the current and future land use. The proposed land use designation reflects the industrial development anticipated for the subject properties. Commercial development/uses are not anticipated.

The Comprehensive Plan Amendment and rezoning proposal will be considered as separate items on the September 16<sup>th</sup> Plan Commission agenda.

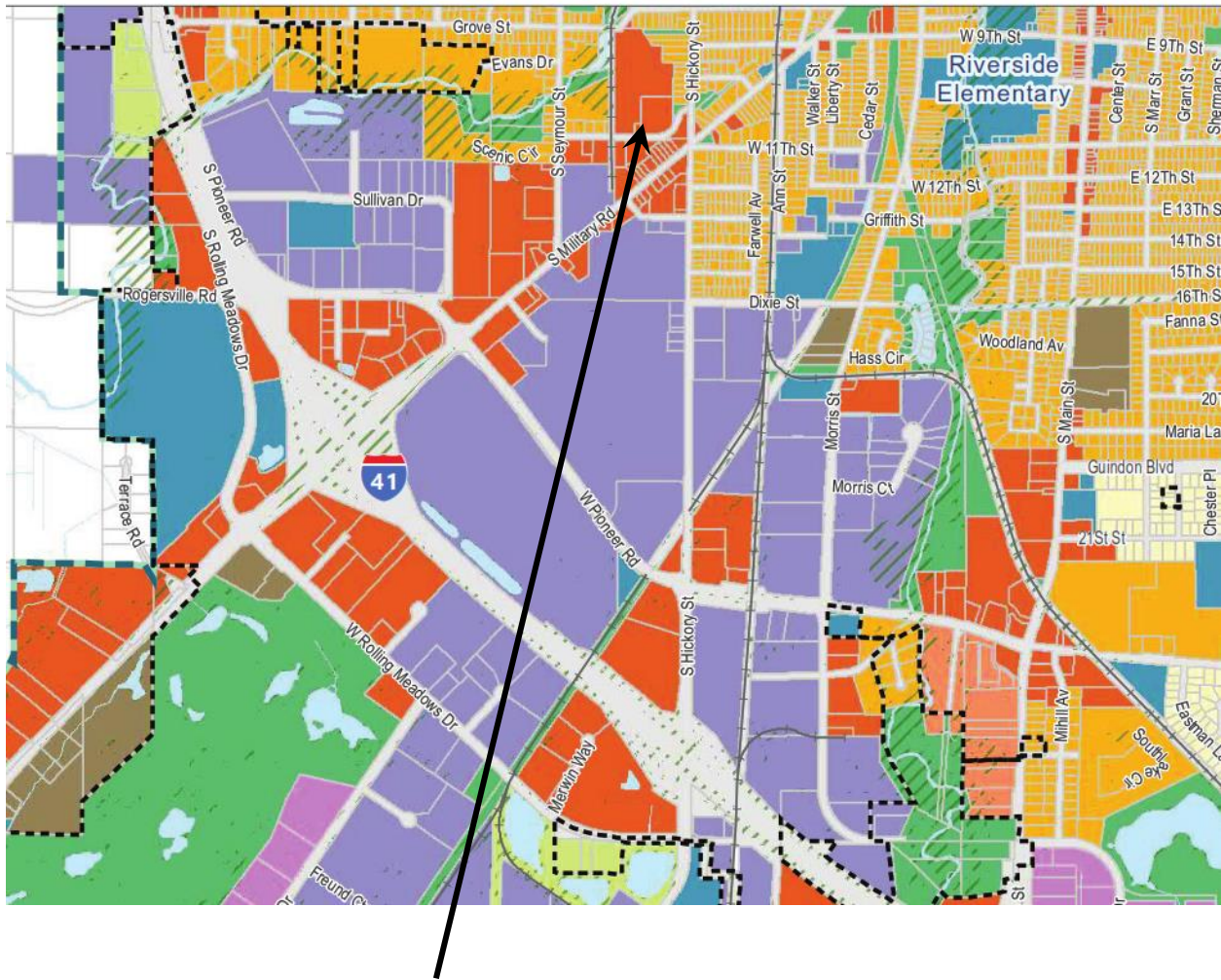
<b>Recommendation</b>
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The process for amending the Comprehensive Plan is the same used for adoption of the Plan. Community Development staff advises the Plan Commission recommend to the City Council a change of land use designation for the parcels identified as:

Parcel Number: FDL-15-17-16-41-018-00; Parcel Number: FDL-15-17-16-41-015-00; Parcel Number: FDL-15-17-16-41-017-00; Parcel Number: FDL-15-17-16-41-033-00; and Parcel Number: FDL-15-17-16-41-034-00, from General Commercial to Industrial.

## COMPREHENSIVE PLAN AMENDMENT NO. 4

Recommended Land Use Designation: Industrial

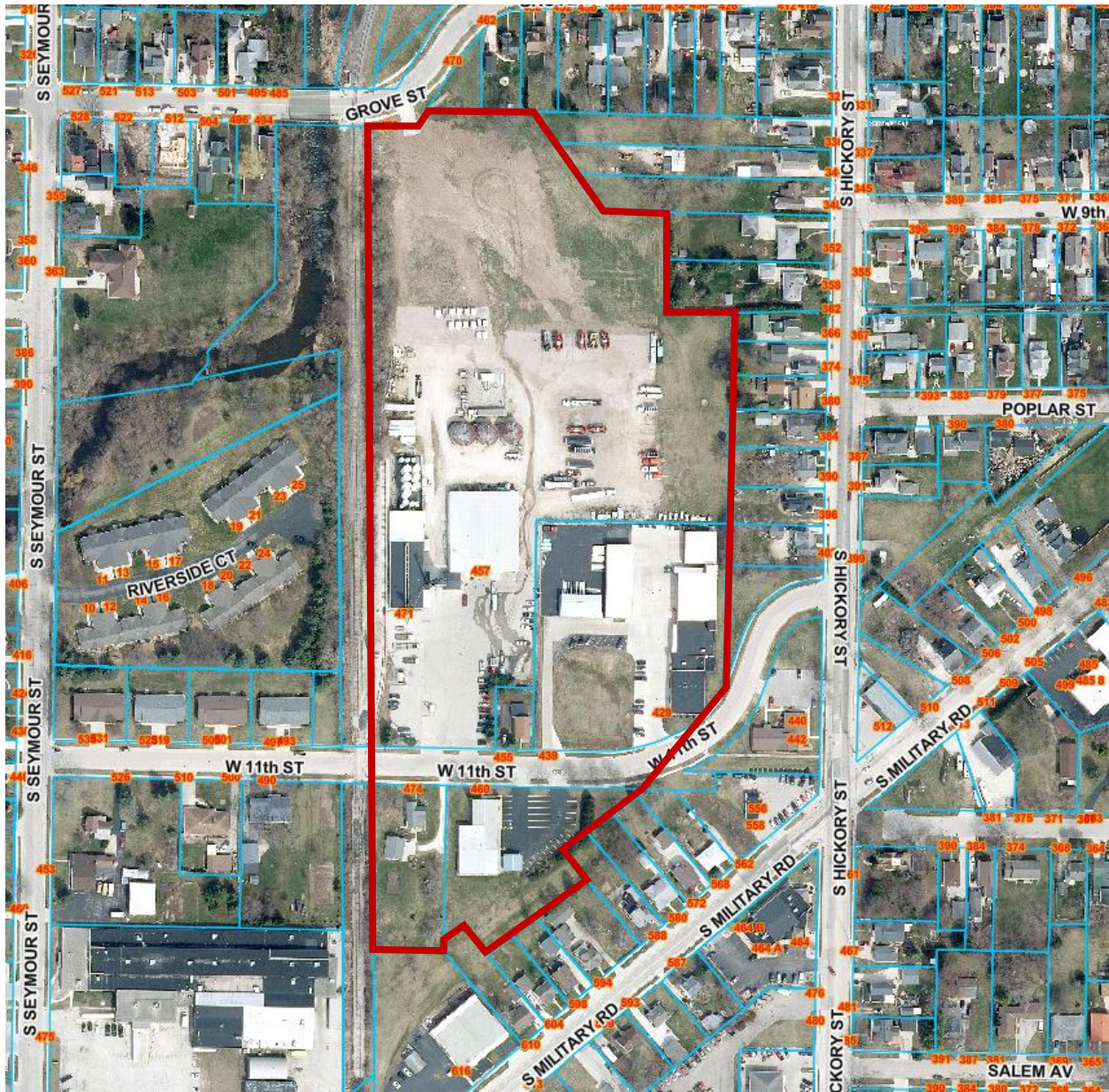


Comprehensive Plan Amendment No. 3:

Parcel Number: FDL-15-17-16-41-018-00, 6.45 acres; and  
Parcel Number: FDL-15-17-16-41-015-00, 2.398 acres; and  
Parcel Number: FDL-15-17-16-41-017-00, 0.138 acres; and  
Parcel Number: FDL-15-17-16-41-033-00, 0.607 acres; and  
Parcel Number: FDL-15-17-16-41-034-00, 1.22 acres



REQUEST FOR REZONING

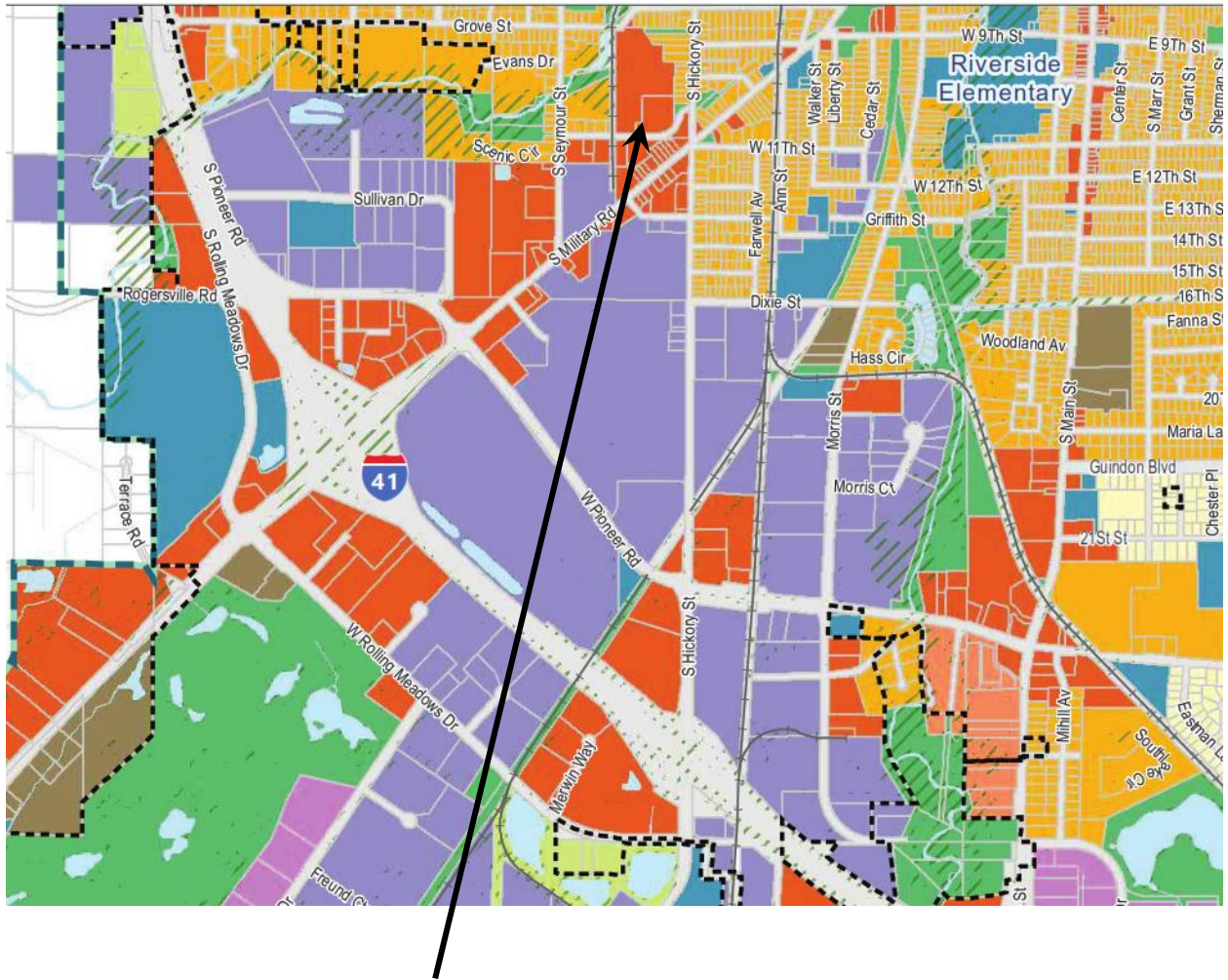


Parcels: FDL-15-17-16-41-018-00, FDL-15-17-16-41-015-00, FDL-15-17-16-41-017-00,  
FDL-15-17-16-41-033-00, and FDL-15-17-16-41-034-00



# COMPREHENSIVE PLAN AMENDMENT

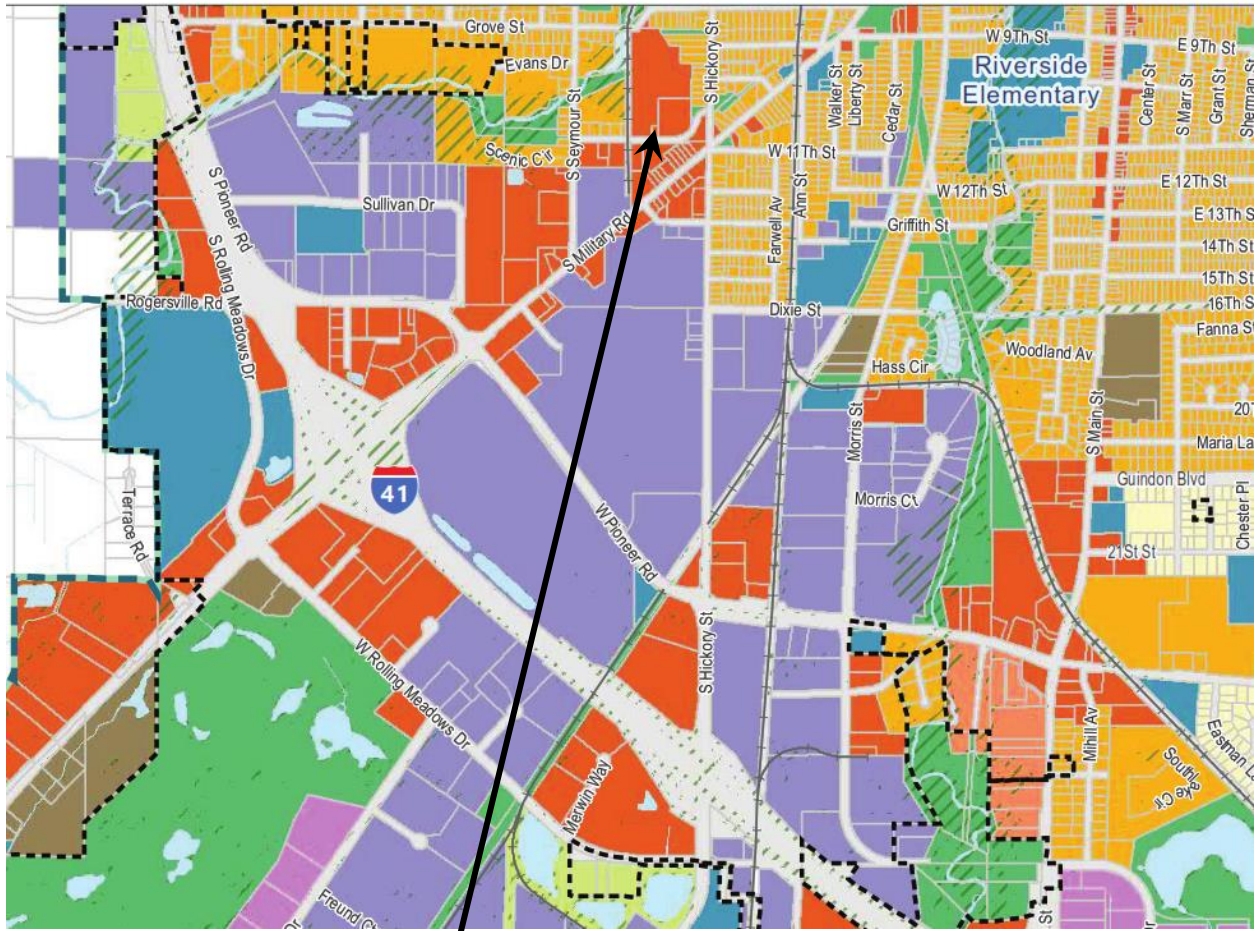
## Existing Land Use Designation: General Commercial



Area of Plan Amendment (Parcels: FDL-15-17-16-41-018-00, FDL-15-17-16-41-015-00, FDL-15-17-16-41-017-00, FDL-15-17-16-41-033-00, and FDL-15-17-16-41-034-00)

# COMPREHENSIVE PLAN AMENDMENT

## Recommended Land Use Designation: Industrial



Area of Plan Amendment



## **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Plan Commission of the City of Fond du Lac, Wisconsin, will conduct a Public Hearing at 5:30 p.m. on September 16, 2024, in Meeting Room A of the City-County Government Center, 160 South Macy Street, to amend the Comprehensive plan for the City of Fond du Lac.

The Comprehensive Plan identifies where growth should occur and makes recommendations of future development in the City. The purpose of the proposed amendment is correct inconsistencies between the future land use plans and actual development. The future land use plan shows this area as future commercial development and the existing zoning and development patterns are manufacturing with no anticipated change in the future for commercial development.

Parcel Number: FDL-15-17-16-41-033-00 (0.607 acres)

Parcel Number: FDL-15-17-16-41-034-00 (1.22 acres)

Parcel Number: FDL-15-17-16-41-015-00 (2.398 acres)

Parcel Number: FDL-15-17-16-41-017-00 (0.138 acres)

Parcel Number: FDL-15-17-16-41-018-00 (6.45 acres)

For further information you are invited to contact the Community Development Department at (920) 322-3440. A copy of the proposed Comprehensive Plan amendment is on file at the Community Development Department. The current Comprehensive Plan is available on the City's website under the Community Development Department.

All persons having an interest in the area are invited to participate in the hearing and express their opinions. Written communications will also be considered. For further information you are invited to contact the Community Development Department at (920) 322-3440. Published in accordance with Section 62.23, Wisconsin Statutes.

Dated this 13th day of August, 2024

**MARGARET HEFTER**  
City Clerk

Published: August 16, 2024