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CHRIS ABELE, MILWAUKEE COUNTY EXECUTIVE  
JOHN DARGLE, JR., DIRECTOR OF PARKS, RECREATION AND CULTURE

Date: February 17, 2017

To: Jason Haas, Chair, Parks, Energy and Environment Committee,  
Supervisor District 14

From: John Dargle, Jr., CPRP, Director, Department of Parks, Recreation and  
Culture (DPRC)

Subject: **Update on Local Zoning Designations on Existing County Park Land  
(INFORMATION)**

**ISSUE**

An update to File No. 15-785 regarding the Department of Parks, Recreation and Culture's (DPRC) parkland rezoning project.

**BACKGROUND**

In November of 2015, the Milwaukee County Board created File No. 15-785 requesting an informational report regarding the current zoning status of the entire Milwaukee County Parks System. The DPRC provided a park inventory and informational report in January of 2016, and it was received and placed on file.

The Board also took action in January 2016 to create File No. 16-121 requesting the rezoning of 43 "at risk" parcels identified in File No. 15-785. The County Executive's Office submitted written rezoning requests to each appropriate municipality on January 25, 2016 for the 43 parcels identified in File No. 16-121.

In addition to the January 25, 2016 request, on February 29, 2016 the County Executive's Office submitted written requests to each appropriate municipality for the rezoning of land which is not used for general park purposes, but is used for parkways, trails, and environmental management.

As of the date of this report, 98% of the park system parcels have park zoning, or an equivalent for the purpose of Wisconsin Statute Section 59.17(2)(b)(3). Local governments used a variety of tools to complete the County's requested rezonings:

- Rezoning
- Creation of a new park zoning district, and rezoning
- Text amendments to provide an exception for Milwaukee County parkland in other zoning districts



- Text amendments to recognize non-park zoning districts as being equivalent to park zoning for the purpose of Statute 59.167
- Conversion of right-of-way to a parcel with a tax key, and rezoning

In all cases, rezoning actions were completed on the base zoning of parcels. This means that if and when an overlay district for wetland, floodplains, or other similar environmental condition existed, it remained intact, and only the base zoning was changed.

Of the remaining parcels, approximately 1% are subject to pending rezones that should be complete by April of 2017, and approximately 2% are parcels that have been requested to be rezoned but there has not been any action taken by the municipality. These are primarily remnant "right-of-way (ROW) parcels" where there is a conflicting municipal interpretation of the property type (ROW versus parcel with tax key). For example, some municipalities have rezoned parkway parcels as parks, others have viewed the land as right-of-way, and have therefore made no zoning assignment, a typical practice for lands used for transportation purposes. It is believed that these segments of parkland viewed as right-of-way carry little risk in terms of non-park zoning because they are primarily used for transportation purposes. An additional reason for no action may be a conflict with the municipality's long-range planning.

In total the result of this zoning analysis can be summarized as follows:

Rezoning/Text Amendment Status	# of Parcels	% of Parks Parcels*
Existing park zoning (no change requested)	545	59%
Rezoning requested and completed	356	38%
Rezoning requested and pending approval by municipality	7	1%
Rezoning requested and no action taken by municipality	17	2%
*Note: % of Parks Parcels does not represent % of Park System acreage. For example, a parcel may be a small remnant parcel, which counts as one parcel, the same as a 100-acre park.		

Data that has been compiled and used to complete this report is provided in the form of attached maps, spreadsheets, and exhibits.

### **RECOMMENDATION**

No action requested. Informational item unless further action required.

Prepared by: Sarah Toomsen, Manager of Planning and Development



**Approved by:**



John Dargle, Jr., CPRP, Director DPRC

**Attachments:**

- Attachment 1 - October 2016 – Zoning Status Map
- Attachment 2 - Zoning Results by Municipality Spreadsheet
- Attachment 3 - Zoning Results by Municipality Map
- Attachment 4 - Zoning Results by Parcel Spreadsheet
- Attachment 5 - Oak Creek Parcel Exhibit
- Attachment 6 - Milwaukee and West Allis Exhibits
- Attachment 7 - Wauwatosa Exhibits

**Copy:**

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