

CHAPTER 17

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Changes and Amendments

(Adopted Ordinance 2022-23; 10/03/22)

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SEC. 16-17-1 AUTHORITY

- (a) Pursuant to the provisions of Section 62.23 (7) of the Wisconsin Statutes the Village Board may, after first submitting the proposal to the Plan Commission (“Plan Commission”) for report and recommendation and after notice and public hearing as hereinafter provided, amend the regulations of this ordinance or change the district boundaries.

SEC. 16-17-2 GENERAL AMENDMENT PROCEDURE

- (a) INITIATION
 - (1) A petition to amend the text or change the district mapping of this ordinance may be initiated by the Village Board on its own motion, by recommendation of the Plan Commission, or by petition of one or more property owners as to the property owned by such person(s).
- (b) FILING OF PETITION (“Filing of Petition”)
 - (1) A petition for change or amendment submitted by a private property owner or the Village shall be prepared on printed or electronic forms provided by the Village for the purpose and filed with the Village and shall be accompanied by a fee, as from time to time established by the Village Board, to defray the cost of giving notice, investigation and other administrative processing. If such petition for change or amendment is initiated by the Village Board, all fees shall be waived.
 - (2) All petitions for a change in district mapping shall follow parcel boundary lines and encompass the entire legal description of property or right-of-way lines as applicable
- (c) DATA REQUIRED
 - (1) In addition to all information required on the petition form, the petitioner of a change in district mapping shall supply the following:
 - a. A plot map drawn to a scale no smaller than 100 feet to the inch for tracts of less than ten (10) acres and no smaller than 200 feet to the inch for tracts

of ten (10) acres or more, showing the land in question, its location, the length and direction of each boundary thereof, the location and the existing use of all buildings on such land and the principal use of all properties within 300 feet of such land;

- b. The physical address and the legal description of such property;
- c. The names and addresses of the owners of all properties within 300 feet of any part of the land included in the proposed change.
- d. Any further information which may be required by the Zoning Administrator or Plan Commission to facilitate the making of a recommendation to the Village Board.

(d) OFFICIAL HEARING & PLAN COMMISSION REVIEW/RECOMMENDATION

(1) The Zoning Administrator shall transmit of such petition to the Plan Commission. The Village Plan Commission shall hold a public hearing upon each proposed change or amendment, giving notice of the time and place of such hearing including a description of the property affected by any change or amendment by publication in the Village recognized newspaper of a class 2 notice, under Ch. 985 of the Wisconsin Statutes and indicating that a map may be obtained from the Village Clerk. A copy of each such notice shall be sent to the clerk of contiguous municipalities as required by Sec. 62.23, Wis. Stat. The Village Plan Commission shall make a recommendation on the change or amendment to grant as requested, modify or deny to the Village Board on each proposed change or amendment after the public hearing is held and prior to action by the Village Board. If the change includes a planned unit development overlay, the Plan Commission shall make a recommendation on the conditions for such planned unit development prior to action by the Village Board as set forth in Sec. 16-7. If the Plan Commission determines that the services of a professional planning consultant are required to determine the feasibility of a zoning change, the fees incurred for such study shall be the responsibility of the petitioner.

(e) OFFICIAL HEARING ACTION (“Official Hearing”)

- (1) After such public hearing, and Plan Commission recommendation, the Village Board shall act to approve, modify and approve, or disapprove the proposed change or amendments.
- (2) The Village Board shall not take action without first having Plan Commission review the proposed change or amendments and make a recommendation on such change or amendment.
- (3) An approved change shall be by appropriate ordinance, and necessary changes in the Zoning Map (“Zoning Map”) or text shall thereafter be made by the Village in a timely manner.

(f) MATERIAL DEFECT

When it is determined by the Village Plan Commission, in consultation with the Zoning Administrator and/or Village Attorney, that there is a material defect in the rezoning petition, or when the Plan Commission determines that insufficient/inadequate notice was provided for a public hearing, the Plan Commission reserves the right to require a new public hearing. Such determination shall be made within ninety (90) days of the initial hearing. Costs for the second hearing are the responsibility of the petitioner.

SEC. 16-17-3 AMENDMENTS IN SHORELAND WETLAND MAPPING & TEXT

- (a) In accordance with Sec. Title 16 Ch. 15, written notice of the public hearing to be held on a proposed shoreland or shoreland-wetland amendment shall be sent to the Wisconsin Department of Natural Resources (“DNR”) district office at least ten (10) days prior to the hearing. A copy of the Village Board’s decision on each proposed amendment shall be forwarded to the DNR district office within ten (10) days after the decision is issued.