

Chapter 520. Zoning

Article XV. Procedures and Administration

§ 520-129. Comprehensive Plan amendments.

- A. Purpose. The purpose of this section is to provide procedures and criteria for amending and updating the Comprehensive Plan. Comprehensive plan amendments may involve changes in the written text or maps of the Comprehensive Plan. Nothing in this section shall be construed to limit the legislative authority of the Village to consider and adopt amendments and revisions to the Village of Kronenwetter Comprehensive Plan or the Village's development regulations.
- B. Amendment procedure, generally. The Village shall follow the procedure in § 66.1001(4), Wis. Stats., for all amendments to the Comprehensive Plan. The Village will consider Comprehensive Plan amendments only once per calendar year, so that the cumulative effects of all proposed amendments can be analyzed for consistency and the overall effect on the remainder of the Comprehensive Plan. The Village Board may elect to amend the Comprehensive Plan on a more frequent or different cycle for amendments that the Board determines necessary to:
 - (1) Address changes in state or federal law.
 - (2) Address an emergency situation.
 - (3) Resolve a court decision or challenge to the Comprehensive Plan that may result in court action.
 - (4) Capture a unique economic development opportunity.
 - (5) Address rapidly changing land use or other needs or circumstances.
- C. Annual amendment cycle and procedure.
 - (1) Applications for Comprehensive Plan amendments shall be submitted to the Zoning Administrator in writing each year by June 1, using a Village-provided application form, in order to be considered in that year's amendment cycle. Only complete applications will be processed.
 - (2) In addition to such applications, the Village staff, the Village Plan Commission or any member thereof, or the Village Board or any member thereof may request amendments to the Comprehensive Plan, by the annual application dateline or another date if established in the approved amendment schedule.
 - (3) The Zoning Administrator shall refer all proposed amendments under Subsection C(1) and (2) to the Plan Commission within 30 days following the latest required date of submittal.
 - (4) The Commission shall advise Village staff as to which proposed amendments should be considered for further review, providing an opportunity for public comment. Depending upon the number and nature of the proposed amendments, the Commission may hold a public hearing before it decides which proposed amendments should be recommended for consideration. Notice of such hearing shall be given by publication of a Class 1 Notice. In the

case of a site-specific future land use map amendment, the Zoning Administrator shall also provide written notification to all property owners within 100 feet of the site.

- (5) After consideration of the proposed amendments and no later than January in the annual amendment cycle, the Plan Commission shall recommend the approval of any proposed amendment to the Village Board. The Commission is under no obligation to recommend approval of any requested amendment, and may recommend the amendment with modification. Such Commission action shall be via adoption of a resolution.
 - (6) Following the Commission recommendation by resolution, and after a required thirty-day public hearing notice period under Wisconsin Statutes, the Village Board shall hold a public hearing for the purpose of receiving public comment regarding the merits of the proposed amendments that have been recommended by resolution of the Plan Commission.
 - (7) Following the public hearing, the Village Board may adopt all or some of the recommended Comprehensive Plan amendments by ordinance, either as recommended or with modifications.
- D. Review criteria for amendments to Comprehensive Plan. The Plan Commission and Village Board shall utilize the following criteria when reviewing each application to amend the Comprehensive Plan:
- (1) The change is consistent with the goals and objectives of the Village of Kronenwetter Comprehensive Plan.
 - (2) The requested amendment was not reviewed and denied during a previous Comprehensive Plan amendment cycle, and nothing significant has changed.
 - (3) The amendment or projected development that would result will not create an adverse impact, unless such impact will be successfully mitigated.
 - (4) Projected development that would result from the amendment will not create an undue or adverse impact on surrounding properties, and will be consistent with or upgrade the character of the site and the surrounding neighborhood.
 - (5) The amendment or projected development that would result will not create an adverse impact on the following, unless such impact will be successfully mitigated: public facilities; public services; the natural environment, including trees, slopes, and groundwater; or any landmarks or other historically significant structures or properties.
 - (6) The amendment is justified by a change in Village actions or neighborhood characteristics.
 - (7) The change corrects an error in the Comprehensive Plan.
 - (8) There is a community or regional need identified in the Comprehensive Plan for the proposed land use or service.
 - (9) The proposed amendment is consistent with other Village plans, policies, and regulations.
 - (10) If the proposed amendment is to the future land use map, the amendment must:
 - (a) Respond to a substantial change in conditions beyond the property owner's control applicable to the area within which the subject property lies; or
 - (b) Better implement applicable Comprehensive Plan policies than the current map designation; or
 - (c) Correct a mapping error; or
 - (d) Address a deficiency in the Comprehensive Plan as identified by the Commission or Board.

- E. Revocation. Any approved Comprehensive Plan amendment may be reversed by the Village Board outside the regular amendment period upon the findings of any of the following:
- (1) The approval was obtained by fraud or other intentional or misleading representations; or
 - (2) The amendment is being implemented contrary to the intended purpose of the amendment or other provisions of the Comprehensive Plan or Village ordinances; or
 - (3) The amendment is being implemented in a manner that is detrimental to the public health or safety.
- F. Fee. The Village may require a fee for this procedure, as established by the Village Board and stated in the Village of Kronenwetter's fee schedule.