

Zoning text amendment public hearings at plan commission:

NOTE: Amendments necessary to table in Sec. 24.16.010 -move brackets indicating location of public hearing

24.16.020 Zoning Ordinance Text Amendments.

- A. Authority to Initiate. Amendments to the text of this zoning ordinance may be initiated by the common council or the plan commission.
- B. Notice of Hearing. Class 2 notice of the required public hearing on a zoning ordinance text amendment must be published in accordance with chapter 985 of the Wisconsin Statutes.
- C. Plan Commission Recommendation. Proposed zoning ordinance text amendments must be referred to the plan commission. Following their review of the proposed text amendment, the plan commission must hold the required public hearing. Following the public hearing the plan commission shall act by simple majority vote of those members present and voting to recommend that the proposed text amendment be approved, approved with modifications, or denied. The plan commission's recommendation must be transmitted to the common council.
- D. Public Hearing and Decision.
 - 1. Following the close of the public hearing, the plan commission may recommend to the common council that the council act to approve, approve with modifications or deny the proposed text amendment. If the plan commission's recommendation has not been forwarded to the common council within 60 days of referral of the proposed text amendment to the plan commission, the common council may take action without receipt of the recommendation.
 - 2. Final action on a zoning ordinance text amendment by the common council requires a simple majority vote of those members present and voting.
- E. Review Criteria and Standards. Zoning ordinance text amendments are legislative decisions of the common council based on their consideration of the public, health, safety and general welfare.

Redline version compared to current code:

24.16.020 Zoning Ordinance Text Amendments.

- A. Authority to Initiate. Amendments to the text of this zoning ordinance may be initiated by the common council or the plan commission.
- B. Notice of Hearing. Class 2 notice of the ~~common council's~~ required public hearing on a zoning ordinance text amendment must be published in accordance with chapter 985 of the Wisconsin Statutes.
- C. Plan Commission Recommendation. Proposed zoning ordinance text amendments must be referred to the plan commission. Following their review of the proposed text amendment, the plan commission must hold the required public hearing. Following the public hearing the plan commission shall act by simple majority vote of those members present and voting to recommend that the proposed text amendment be approved, approved with modifications, or denied. The plan commission's recommendation must be transmitted to the common council.

D. ~~Common Council~~Public Hearing and Decision.

1. ~~Upon receipt of recommendations from the plan commission, the common council must hold a public hearing on the proposed text amendment.~~ Following the close of the public hearing, the ~~common council~~plan commission may recommend to the common council that the council act to approve, approve with modifications or deny the proposed text amendment. If the plan commission's recommendation has not been forwarded to the common council within 60 days of referral of the proposed text amendment to the plan commission, the common council may ~~hold the required hearing and~~ take action without receipt of the recommendation.

2. Final action on a zoning ordinance text amendment by the common council requires a simple majority vote of those members present and voting.

E. Review Criteria and Standards. Zoning ordinance text amendments are legislative decisions of the common council based on their consideration of the public, health, safety and general welfare.

Zoning map amendment public hearings at plan commission:

24.16.030 Zoning Map Amendments (Rezoning).

- A. Authority to Initiate. Amendments to the official zoning map may be initiated by the common council, the plan commission or by petition of an eligible applicant or an eligible applicant's authorized agent (See Section 24.16.010C.1).
- B. Application Filing. Zoning map amendment applications must be filed with the zoning administrator.
- C. Notice of Hearing.
1. Notice of the plan commission's meeting must be mailed to all owners and occupants (when data available) of property within 300 feet of the subject property at least 7 days before the hearing.
 2. Class 2 notice of the required public hearing on a zoning map amendment must be published in accordance with chapter 985 of the Wisconsin Statutes.
 3. Notice must be mailed to all of the following at least 7 days before the required public hearing:
 - a. the subject property owner;
 - b. all owners and occupants (when data available) of property within 300 feet of the subject property; and
 - c. the clerk of any municipality with corporate limits that abut the subject property.
 4. The applicant must post signage in a format provided by the city in a prominent location on the development site for the duration of the approval process.
- D. Plan Commission Recommendation. Proposed zoning map amendments must be referred to the plan commission. Following review of the proposed zoning map amendment, the plan commission must hold the required public hearing. Following the public hearing the plan commission shall act by simple majority vote of those members present and voting to recommend that the proposed zoning map amendment be approved, approved with modifications, or denied. The plan commission's recommendation must be transmitted to the common council.
- E. Public Hearing and Decision.
1. Following the close of the public hearing, the plan commission may recommend that the common council approve, approve with modifications (e.g., reducing the land area involved in the rezoning or recommending another less intensive zoning classification) or deny the proposed zoning map amendment. If plan commission recommendation has not been forwarded to the common council within 60 days of referral of the proposed zoning map amendment to the plan commission, the common council may take action without receipt of the recommendation.

2. Final action on a zoning map amendment by the common council requires a simple majority vote of those members present and voting.

F. Review Criteria and Standards. Zoning map amendments are legislative decisions of the common council based on their consideration of the public health, safety and general welfare.

G. Successive Applications. Upon disapproval of a zoning map amendment by the common council, no zoning map amendment petition requesting the same or more intensive zoning on the same or similar property may be filed for or accepted for processing by the city for 6 months from the date of final action by the common council.

Redline version compared to current code:

24.16.030 Zoning Map Amendments (Rezoning).

A. Authority to Initiate. Amendments to the official zoning map may be initiated by the common council, the plan commission or by petition of an eligible applicant or an eligible applicant's authorized agent (See Section 24.16.010C.1).

B. Application Filing. Zoning map amendment applications must be filed with the zoning administrator.

C. Notice of Hearing.

1. Notice of the plan commission's meeting must be mailed to all owners and occupants (when data available) of property within 300 feet of the subject property at least 7 days before the hearing.

2. Class 2 notice of the ~~common council's~~ required public hearing on a zoning map amendment must be published in accordance with chapter 985 of the Wisconsin Statutes.

3. Notice must be mailed to all of the following at least 7 days before the ~~common council's~~ required public hearing:

a. the subject property owner;

b. all owners and occupants (when data available) of property within 300 feet of the subject property; and

c. the clerk of any municipality with corporate limits that abut the subject property.

4. The applicant must post signage in a format provided by the city in a prominent location on the development site for the duration of the approval process.

D. Plan Commission Recommendation. Proposed zoning map amendments must be referred to the plan commission. Following review of the proposed zoning map amendment, the plan commission must hold the required public hearing. Following the public hearing the plan commission shall act by simple majority vote of those members present and voting to recommend that the proposed zoning map amendment be approved, approved with modifications, or denied. The plan commission's recommendation must be transmitted to the common council.

E. ~~Common Council~~Public Hearing and Decision.

1. ~~Upon receipt of recommendations from the plan commission, the common council must hold a public hearing on the proposed zoning map amendment.~~ Following the close of the public hearing, the plan commission may recommend that the common council ~~may act to~~ approve, approve with modifications (e.g., reducing the land area involved in the rezoning or recommending another less intensive zoning classification) or deny the proposed zoning map amendment. If plan commission recommendation has not been forwarded to the common council within 60 days of referral of the proposed zoning map amendment to the plan commission, the common council may ~~hold the required hearing and~~ take action without receipt of the recommendation.

2. Final action on a zoning map amendment by the common council requires a simple majority vote of those members present and voting, ~~except when a valid protest petition is filed with the city clerk before the date of the meeting that the common council takes final action on the amendment, approval of the zoning map amendment requires at least a 60% majority vote of those common council members present and voting.~~

F. ~~Protest Petitions. A valid protest petition must be signed and acknowledged by the owners of:~~

- ~~1. — more than 50% of the land area included in the proposed zoning map amendment;~~
- ~~2. — more than 50% of the land area immediately adjacent and extending 100 feet from the subject property; or~~
- ~~3. — more than 50% of the land directly opposite from the subject property and extending 100 feet from the street frontage of the opposite land.~~

~~G. — Review Criteria and Standards. Zoning map amendments are legislative decisions of the common council based on their consideration of the public health, safety and general welfare.~~

H.G. Successive Applications. Upon disapproval of a zoning map amendment by the common council, no zoning map amendment petition requesting the same or more intensive zoning on the same or similar property may be filed for or accepted for processing by the city for 6 months from the date of final action by the common council.

Planned Unit Development zoning map amendment public hearings at plan commission:

24.16.050 Planned Unit Developments.

C. Preliminary Development Plans. At the option of the applicant, the preliminary development plan may serve also as the preliminary subdivision plat if such intention is declared before the plan commission's public hearing and if the plans include all information required for preliminary plats and preliminary development plans.

1. Preapplication Meetings. Before submitting a PUD application, the applicant must schedule a meeting with the zoning administrator to discuss the proposed plan and the required process. The zoning administrator is responsible for coordinating the involvement of other relevant city departments in the preapplication meeting. The applicant must also hold a neighborhood meeting, with invitations mailed to all property owners within 200 feet of the subject property, alderpersons of the district, and the zoning administrator.
2. Application Contents. An application for a preliminary development plan must contain all items of information specified in the pre-application meeting including proof of holding a neighborhood meeting prior to application submission.
3. Application Filing. Complete applications for preliminary development plan approval must be filed with the zoning administrator at the same time that the /PUD zoning map amendment application is filed. Preliminary development plan applications may be filed only by the common council, the plan commission or by petition of an eligible applicant or an eligible applicant's authorized agent (See Section 24.16.010C.1).
4. Notice of Hearing.
 - a. Notice of the plan commission's public hearing must be mailed to all owners and occupants (when data available) of property within 300 feet of the subject property at least 7 days before the hearing.
 - b. Class 2 notice of the plan commission's required public hearing on a zoning map amendment must be published in accordance with chapter 985 of the Wisconsin Statutes.
 - c. Notice must be mailed to all of the following at least 7 days before the plan commission's required public hearing:
 1. the subject property owner;
 2. all owners and occupants (when data available) of property within 300 feet of the subject property; and
 3. the clerk of any municipality with corporate limits that abut the subject property.
 - d. The applicant must post signage in a format provided by the city in a prominent location on the development site for the duration of the approval process.

5. PUD preliminary development plans must be referred to the plan commission with the /PUD zoning map amendment, if such map amendment is required. Following review of the proposed zoning map amendment and/or preliminary development plan, the plan commission must act by simple majority vote of those members present and voting to recommend that the proposed zoning map amendment and/or preliminary development plan be approved, approved with modifications, or denied. The plan commission's recommendation must be transmitted to the common council.

6. Common Council Hearing and Decision.

a. Upon receipt of recommendations from the plan commission, following the public hearing on the proposed preliminary development plan and/or /PUD zoning map amendment, as required, the common council may act to approve, approve with modifications (e.g., reducing the land area involved in the rezoning or recommending another less intensive zoning classification) or deny the proposed preliminary development plan and/or /PUD zoning map amendment, as required. If plan commission recommendation has not been forwarded to the common council within 60 days of referral of the proposed preliminary development plan and/or /PUD zoning map amendment to the plan commission, the common council may take action without receipt of the recommendation.

b. Final action on a /PUD zoning map amendment by the common council requires a simple majority vote of those members present and voting, except when a valid protest petition is filed with the city clerk before the date of the meeting that the common council takes final action on the amendment, approval of the zoning map amendment requires at least a 60% majority vote of those common council members present and voting.

7. Review Criteria. Zoning map amendments are legislative decisions of the common council based on their consideration of the public, health, safety and general welfare.

Redline version compared to current code:

24.16.050 Planned Unit Developments.

C. Preliminary Development Plans. At the option of the applicant, the preliminary development plan may serve also as the preliminary subdivision plat if such intention is declared before the plan commission's public hearing and if the plans include all information required for preliminary plats and preliminary development plans.

1. Preapplication Meetings. Before submitting a PUD application, the applicant must schedule a meeting with the zoning administrator to discuss the proposed plan and the required process. The zoning administrator is responsible for coordinating the involvement of other relevant city departments in the preapplication meeting. The applicant must also hold a neighborhood meeting, with invitations mailed to all property owners within 200 feet of the subject property, alderpersons of the district, and the zoning administrator.

2. Application Contents. An application for a preliminary development plan must contain all items of information specified in the pre-application meeting including proof of holding a neighborhood meeting prior to application submission.
3. Application Filing. Complete applications for preliminary development plan approval must be filed with the zoning administrator at the same time that the /PUD zoning map amendment application is filed. Preliminary development plan applications may be filed only by the common council, the plan commission or by petition of an eligible applicant or an eligible applicant's authorized agent (See Section 24.16.010C.1).
4. Notice of Hearing.
 - a. Notice of the plan commission's ~~meeting~~ public hearing must be mailed to all owners and occupants (when data available) of property within 300 feet of the subject property at least 7 days before the hearing.
 - b. Class 2 notice of the ~~common council's~~ plan commission's required public hearing on a zoning map amendment must be published in accordance with chapter 985 of the Wisconsin Statutes.
 - c. Notice must be mailed to all of the following at least 7 days before the ~~common council's~~ plan commission's required public hearing:
 1. the subject property owner;
 2. all owners and occupants (when data available) of property within 300 feet of the subject property; and
 3. the clerk of any municipality with corporate limits that abut the subject property.
 - d. The applicant must post signage in a format provided by the city in a prominent location on the development site for the duration of the approval process.
5. PUD preliminary development plans must be referred to the plan commission with the /PUD zoning map amendment, if such map amendment is required. Following review of the proposed zoning map amendment and/or preliminary development plan, the plan commission must act by simple majority vote of those members present and voting to recommend that the proposed zoning map amendment and/or preliminary development plan be approved, approved with modifications, or denied. The plan commission's recommendation must be transmitted to the common council.
6. Common Council Hearing and Decision.
 - a. Upon receipt of recommendations from the plan commission, ~~the common council must hold a following the~~ public hearing on the proposed preliminary development plan and/or /PUD zoning map amendment, as required. ~~At the meeting subsequent to the close of the public hearing,~~ the common council may act to approve, approve with modifications (e.g., reducing the land area involved in the rezoning or recommending another less intensive zoning classification) or deny the proposed

preliminary development plan and/or /PUD zoning map amendment, as required. If plan commission recommendation has not been forwarded to the common council within 60 days of referral of the proposed preliminary development plan and/or /PUD zoning map amendment to the plan commission, the common council may ~~hold the required hearing and~~ take action without receipt of the recommendation.

b. Final action on a /PUD zoning map amendment by the common council requires a simple majority vote of those members present and voting, except when a valid protest petition is filed with the city clerk before the date of the meeting that the common council takes final action on the amendment, approval of the zoning map amendment requires at least a 60% majority vote of those common council members present and voting.

7. Review Criteria. Zoning map amendments are legislative decisions of the common council based on their consideration of the public, health, safety and general welfare.

D. Final Development Plans.

NOTE: THE FOLLOWING SUBSECTION IS DELETED BECAUSE IT DESCRIBES PROCEDURES FOR A PUBLIC HEARING IN A SECTION WHERE NO PUBLIC HEARING HAS PREVIOUSLY BEEN OR IS CURRENTLY REQUIRED

~~6. Notice of Hearing.~~

~~a. Notice of the required hearing must be mailed to all owners and occupants (when data available) of property within 300 feet of the subject property at least 7 days before the hearing.~~

~~b. Class 2 notice of the common council's required public hearing on a zoning map amendment must be published in accordance with chapter 985 of the Wisconsin Statutes.~~

~~c. Notice must be mailed to all of the following at least 7 days before the common council's required public hearing:~~

~~1. the subject property owner;~~

~~2. all owners and occupants (when data available) of property within 300 feet of the subject property; and~~

~~3. the clerk of any municipality with corporate limits that abut the subject property.~~

~~d. The applicant must post signage in a format provided by the city in a prominent location on the development site for the duration of the approval process.~~

[NOTE: NO CHANGES PROPOSED TO COMMON COUNCIL HEARING REQUIREMENTS FOR HISTORIC DISTRICT DESIGNATIONS]