

AN ORDINANCE RELATING TO COMPREHENSIVE PLAN AMENDMENTS

Introduced by _____

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Title _____, Chapter 1 is created to read as follows:

SEC. _____ COMPREHENSIVE PLAN AMENDMENTS

- (a) **Purpose.** The purpose of this chapter is to provide procedures and criteria for amending and updating the City of Menasha Comprehensive Plan. Comprehensive Plan amendments may involve changes in the plan narrative, goals, objectives or policies of the plan. The Future Land Use Map or other maps within the plan may also be amended. Comprehensive Plan amendments will be reviewed in accordance with this chapter, the state comprehensive planning law (ch. 66.1001), the goals and policies of the City of Menasha Comprehensive Plan, intergovernmental agreements, applicable capital facilities plans, official population growth forecasts and growth indicators.
- (b) **Applicability.**
- (1) The criteria and requirements of this chapter shall apply to all applications or proposals for changes to the comprehensive plan text, goals, objectives, policies, map designations, or other map changes unless specifically exempted. The following types of comprehensive plan amendments may be considered through the comprehensive plan amendment process:
 - (a) Future Land Use map changes including land use and growth boundaries;
 - (b) Minor technical Future Land Use map corrections;
 - (c) Future Land Use or other text changes;
 - (d) Changes or corrections to other maps within the plan;
 - (e) The amendment or adoption of the Utilities and Community Facilities element of the comprehensive plan that occurs concurrently with the adoption or amendment of the city budget; and
 - (f) Amendments necessary to address an emergency situation.
- (c) **Procedure.**
- (1) The Community Development Department shall annually publish notice in the official city newspaper to announce the City of Menasha Comprehensive Plan amendment process is open to accepting applications. At that time, the Community Development Department will invite public comments and suggestions regarding changes to the comprehensive plan.
 - (2) Applications for all comprehensive plan amendments shall be considered legislative actions and subject to the procedures in this section.
 - (3) Applicants proposing Future Land Use Map changes must schedule a pre-application meeting with staff.
 - (4) Applications shall be submitted to the Community Development Department in writing within 30 days of the notice announcing the plan amendment process is open in order to be considered during the annual review process.
 - (5) A fee established by the Common Council must accompany all Future Land Use Map changes and text changes as listed in Sec. _____ (b)(1)(a) and (c).

- (6) Two public hearings shall be scheduled and held – an informal public hearing before the Plan Commission and a formal public hearing before the Common Council. They shall be noticed as follows:
 - (a) Informal Public Hearing. For all amendments, a Class One (1) notice shall be published in the official city newspaper at least seven (7) days prior to the informal public hearing. Additionally, for amendments specific to a property or properties, property owners within one hundred feet (100') of the subject property or properties shall be notified by first class mail at least seven (7) days prior to the hearing.
 - (b) Formal Public Hearing. For all amendments, a Class One (1) notice shall be published in the official city newspaper at least thirty (30) days prior to the formal public hearing. Additionally, for amendments specific to a property or properties, property owners within one hundred feet (100') of the subject property or properties shall be notified by first class mail at least thirty (30) days prior to the hearing. Said notice may be sent together with the notice for the informal public hearing.
- (7) The Plan Commission shall, by resolution (§66.1001(4)(b)), make a recommendation to the Common Council within thirty (30) days of the date of the review meeting or the Common Council may take action without it.
- (8) The Common Council shall have the authority to approve or deny the proposed amendment(s). Amendments may not take effect until the Common Council enacts an ordinance that adopts the amendment(s) (§66.1001(4)(c)).
- (9) Copies of the adopted amendment(s) shall be sent to the reviewing authorities provided in § 66.1001(4)(b)(1-6) within 30 days of adoption.

(d) Submittal Requirements. All requests for comprehensive plan amendments shall be made in writing, using forms supplied by the Community Development Department, and shall include the following information:

- (1) Future Land Use map amendments:
 - (a) Completed application form, signed by the applicant or owner.
 - (b) Property map showing adjacent properties and clearly outlining the subject parcel(s).
 - (c) Where the property is not owned by the applicant, a letter from the owner giving consent to apply for the comprehensive plan amendment.
 - (d) A description of the purpose of the comprehensive plan amendment.
 - (e) Justification and support for the proposed map amendment.
- (2) All other amendments:
 - (a) Completed application form.
- (3) The Department of Community Development, Plan Commission and/or the Common Council may require additional information be submitted before taking action.

(e) Approval Criteria.

- (1) The following criteria shall be considered in any review and approval of amendments to City of Menasha Comprehensive Plan Future Land Use Maps:
 - (a) To change a designation, the proposed Future Land Use map amendment must do at least one of the following:
 - i) Respond to a substantial change in conditions beyond the property owner's control applicable to the area within which the subject property lies; or
 - ii) Better implement applicable comprehensive plan policies than the current map designation; or
 - iii) Correct an obvious mapping error, or;
 - iv) Address an identified deficiency in the Comprehensive Plan.
 - (b) Additional documentation may be needed to address the public facilities and services elements that may be necessary for the proposed designation. Such

services may include water, sanitary sewer, storm drainage, transportation (all modes), police and fire protection, and schools.

- (2) The following criteria shall be considered in any review and approval of amendments to City of Menasha Comprehensive Plan text and maps other than the Future Land Use Map:
 - (a) To change text, including goals, objectives and policies, or any map other than the Future Land Use Map, the amendment must do at least one of the following:
 - (i) Better implement applicable comprehensive plan policies; or
 - (ii) Correct errors; or
 - (iii) Replace outdated data; or
 - (iv) Address an opportunity for physical, economic, social or cultural improvement of the city.
 - (2) The comprehensive plan amendment(s) shall take into consideration the comprehensive plans adopted by neighboring communities, the East Central Wisconsin Regional Planning Commission, Calumet and Winnebago Counties, and related regional issues.
 - (3) Comprehensive plan text amendments and amendments to other maps within the plan shall be consistent with the state of Wisconsin comprehensive planning law (§66.1001).

SECTION 2: This Ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____ day of _____, 2009.

Donald J. Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk



**City of Menasha
Comprehensive Plan
Text Amendment
Application**

Date Filed:	_____
Fee:	_____
Check #:	_____
Application #:	_____

Fee: \$250.00 where request is intended to benefit a specific property
or group of properties under the same ownership or control

A comprehensive plan text amendment is a change or revision to the Comprehensive Plan narrative (text). It typically includes amendment to the plan's goals, objectives, policies or background text. Amendments may include new text, revisions to existing text, or deletion of text. Applications for plan text amendments and the applicable fee **must be submitted within 30 days of the notice announcing the plan amendment process is open** for consideration during the City's annual comprehensive plan amendment cycle. Applicants will be notified of the date and place of meetings related to this proposed amendment. It is strongly recommended that applicants attend all meetings and public hearings related to their amendment request.

1. Applicant Information

Name: _____

Firm Name (if Applicable): _____

Mailing Address _____

City/State/Zip: _____

Daytime Phone Number: () _____ Fax _____

Email Address: _____

1. Please describe the proposed text amendment, indicating the exact nature of the change sought. Also, if the proposal is to amend or delete existing text, please reference the Comprehensive Plan Chapter and page number. Use strikethrough and underline if appropriate. (Use additional pages as necessary.)

2. Please clearly describe why the text amendment is being proposed. (You may attach separate pages if necessary.)

3. Please feel free to attach (preferably on 8.5"X11" or 11"X17" paper) any additional information that supports your request (maps, additional explanation).

For Staff Use Only

Date Filed: _____

Application #: _____

Reviewed by City Staff Date: _____

Plan Commission meeting Date: _____

Date(s) of Planning Commission Review: _____

Recommendation of the Plan Commission: _____

PC Resolution #: _____ Resolution Adoption Date: _____

NOTE: This is only a recommendation. Requires adoption of ordinance by City Council to become effective.

30-Day Public Review Period Began on: _____

Forwarded to the City Council on: _____

Date of Plan Amendment Public Hearing: _____

Ordinance #: _____

Ordinance Approved: _____

Ordinance Published: _____

Sent to Statutory Distribution List: _____

Map Amendment (if necessary): (Adopted / Denied)

Mayor



**City of Menasha
Comprehensive Plan
Map Amendment
Application**

Date Filed:	_____
Fee:	_____
Check #:	_____
Application #:	_____

Fee: \$200.00 Regular Meeting / \$350.00 Special Meeting

A comprehensive plan map amendment is a change or revision to a land use map designation assigned to a specific property (or properties). Applications for plan map amendments and the applicable fee **must be submitted within 30 days of the notice announcing the plan amendment process is open** for consideration during the City's annual comprehensive plan amendment cycle. Applicant will be notified of the date and place of meetings and the public hearing for this proposed amendment and it is strongly recommended that applicants and owners attend all meetings and public hearings related to the amendment request.

1. Applicant Information

Applicant _____ Telephone _____

Address _____

Email Address: _____ Fax _____

2. Owner Information (If different than applicant)

Owner _____ Telephone _____

Address _____

Email Address: _____ Fax _____

3. Correspondence Address: (This is the address to which all agendas, letters and other materials will be forwarded.)

Name: _____ Telephone _____

Address: _____

Email Address: _____ Fax _____

4. Applicant is (Check one): Owner () Agent () Other () _____
(If Applicant is not the owner, provide letter of Authorization from All Property Owners) (Specify)

5. The present Owner acquired legal title to the subject property on _____ (Date)

6. Property location & address: _____

7. Parcel I.D. Number: _____

8. Parcel Size/Dimension: (Square feet/Acres) _____

9. Existing Use of Property: _____
10. Future Land Use of Property (Future Land Use Map Designation):

11. Proposed Future Land Use (by Applicant): _____
12. Existing Zoning: _____
13. Proposed Zoning change (if Applicable): _____
14. Surrounding Future Land Use/Zoning Classification/Existing Use (*map(s) may be substituted for narrative*):

15. The following additional procedures and enclosures are required to complete this application:

- ___ A pre-application meeting with Community Development Department staff is required prior to formal submittal.
- ___ Application Fee (\$200 for the annual meeting, \$350 for a special meeting).
- ___ Property map showing adjacent properties and clearly outlining the subject parcel(s).
- ___ Where the property is not owned by the applicant, a letter must be attached giving consent of the owner to apply for the comprehensive plan amendment.
- ___ On a separate sheet(s) of paper, provide the following information:
 - a. A description of the purpose of the comprehensive plan amendment.
 - b. Justification and support for the proposed map amendment. (e.g. a discussion of changes that have occurred in the area of the proposed plan map amendment since the comprehensive plan's adoption, consistency of the proposed amendment with the adopted comprehensive plan and/or how the proposed change will benefit the community)

Signature of Applicant

Applicant attendance at this hearing is not mandatory, but is strongly recommended.

For Staff Use Only

Date of Initial Consultation: _____

Date Filed: _____

Application #: _____

Staff Review Date: _____

Plan Commission Meeting Date: _____

Date of Public Hearing: _____

Recommendation of the Planning Commission: _____

PC Resolution #: _____ Resolution Adoption Date: _____

NOTE: This is only a recommendation. Requires adoption of ordinance by City Council to become effective.

30-Day Public Review Period Began on: _____

Common Council Meeting Date: _____

Date of Plan Amendment Public Hearing: _____

Ordinance #: _____

Ordinance Approved: _____

Ordinance Published: _____

Sent to Statutory Distribution List: _____

Map Amendment: (Adopted / Denied)

Deborah A. Galeazzi, City Clerk