

**PART 3.**  
**AMENDMENT**

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**Section 3-1. Initiation.**

The following may submit an application for a plan amendment:

- (a) Village Board;
- (b) Plan Commission;
- (c) any resident of the Village;
- (d) any person having title to land within the Village;
- (e) any person having a contractual interest in land to be affected by a proposed amendment; or
- (f) an agent for any of the above.

Proposals to amend this plan shall be submitted to the Village Clerk between February 15 and March 15, except those recommended by the Village Board, which may be submitted anytime during the year.

**Section 3-2. Burden of Proof.**

The person that proposes an amendment to the Future Land Use Map shall have the burden of proof to show that the proposed amendment is in the public interest and internally consistent with the remainder of the plan.

**Section 3-3. Application and Review Procedure.**

The amendment process shall entail the following steps:

- (a) *Submittal of Application.* The applicant shall submit a complete application to the Village Clerk along with the application fee if any (See Sections 3-4 and 3-6).
- (b) *Transmittal of Application to Plan Commission.* The Village Clerk shall forward one (1) copy of the application to each member of the Plan Commission.
- (c) *Preliminary Review.* The Plan Commission shall review the application at one of its regular or special meetings. No decision shall be made at this time.
- (d) *Placement of Public Notice.* The Village Clerk shall provide for appropriate public notice for the public hearing conducted by the Plan Commission.
- (e) *Interdepartmental/Agency Review.* The Village Clerk shall forward one (1) copy of the application to appropriate Village personnel and local units of government that would be directly effected by the proposed amendment.
- (f) *Plan Commission Hearing.* Allowing for proper public notice, the Plan Commission shall conduct a meeting to review the application.
- (g) *Plan Commission Recommendation.* The Plan Commission shall make a written recommendation to the Village Board to either: deny the proposed amendment; or approve the proposed amendment without revision; or approve the proposed amendment with revision(s) that it deems appropriate. Such revisions to the proposed amendment shall be limited in scope to those matters considered in the public meeting.
- (h) *Public Hearing.* The Village Board shall hold a public hearing, allowing for proper public notice, to consider the proposed amendment.
- (i) *Village Board Decision.* After reviewing the application and the Plan Commission's recommendation, the Village Board shall make a decision to either: deny the proposed amendment; or approve the proposed amendment without revision; or approve the amendment with revision(s) that it deems appropriate. Such revisions to the proposed amendment shall be limited in scope to those matters considered in the public hearing.
- (k) *Notification of Decision.* Within five (5) days of the decision, the Clerk shall mail the applicant, by regular U.S. mail, the original copy of the decision and notify the Plan Commission in writing of its decision (if it is not the applicant). If the proposed amendment is denied, the notification shall indicate the reasons for the denial. If the amendment is approved, an ordinance to that effect shall be adopted.
- (l) *Update History of Adoption and Amendment.* The Plan Commission shall update the table found in Section 3-7 of this part.

**Section 3-4. Application Content.**

1. *Landowner-Initiated Amendment to the Future Land Use Map.* An application submitted by a landowner to amend the Future Land Use Map shall include the following:
  - (a) a scaled drawing of the subject property;
  - (b) a legal description for each of the parcels in the subject property;
  - (c) a map of the existing land uses occurring on and around the subject property;
  - (d) a written description of the proposed change;
  - (e) a written statement outlining the reason(s) for the amendment; and
  - (f) other supporting information the applicant deems appropriate.
  
2. *Other Amendments.* For all other types of amendments, the application shall include the following:
  - (a) a written description of the proposed change;
  - (b) a written statement outlining the reason(s) for the amendment; and
  - (c) other supporting information the applicant deems appropriate.

**Section 3-5. Limitations on Amending the Comprehensive Plan.**

1. *Internal Consistency.* Amendments shall be made so as to preserve the internal consistency of the entire plan.
  
2. *Granting Special Privileges or Placing Limitations Not Permitted.* No amendment to change the Future Land Use Map shall contain special privileges or rights or any conditions, limitations, or requirements not applicable to all other lands in the district.

**Section 3-6. Application Fees.**

1. *Landowner-Initiated Amendments.* For all amendments to the Future Land Use Map that are initiated by the owner or another person having a contractual interest in land to be affected by the proposed amendment, an application fee, as set by the Village Board and on file at the Village Clerk's office, shall be submitted at the time of application.
  
2. *Other Amendments.* For all other types of amendments, no application fee shall be assessed.

**Section 3-7. Historical Summary of Plan Adoption and Amendments**

The table below provides an overview of Village Board action regarding this plan.

Date	Ordinance Number	Description of Action
____, 2009		Village Board repeals the Village's master plan and adopts the Village's comprehensive plan to comply with Wisconsin's Smart Growth Legislation.