

SAMPLE DOCUMENTS FOR COMPREHENSIVE PLAN AMENDMENTS

The Wisconsin comprehensive planning law (Section 66.1001 of the *Wisconsin Statutes*) requires County and local governments to follow the same procedures for amending a comprehensive plan that were followed for adoption of the plan. The required steps include:

- Holding a public hearing regarding the proposed plan amendment.
- Publication of a Class 1 public notice at least 30 days in advance of the hearing. The public notice must include:
 1. The date, time and place of the hearing.
 2. A summary, which may include a map, of the proposed comprehensive plan amendment.
 3. The name of an individual employed by the local government who can provide additional information regarding the proposed amendment.
 4. Information relating to where and when the proposed comprehensive plan amendment may be inspected before the hearing, and how a copy of the amendment may be obtained.
- Distribution of the notice to nonmetallic mineral mining interests and to persons who have submitted a written request for notification under Section 66.1001(4)(f) of the *Statutes*.
- A plan commission recommendation regarding the amendment in the form of a resolution.
- Adoption of the amendment by the governing body in the form of an ordinance.
- One copy of the amendment shall be sent to the local library, the County, the Regional Planning Commission, the Wisconsin Department of Administration, adjacent local governments, and special-purpose units of government (i.e. school and lake districts).
- Public participation procedures must also be established for plan amendments.

The following information is attached to assist local governments in making plan amendments:

- An example of an application form for a plan amendment (pages 2-4).
- A sample public hearing notice (page 5)
- A sample plan commission resolution approving an amendment (page 6)
- A sample local government ordinance adopting an amendment (page 7)
- A sample local government resolution adopting public participation procedures to be used for all plan amendments (page 8)
- An example of public participation procedures for plan amendments (pages 9 and 10)

The governing body may wish to keep a binder containing a copy of all adopted plan amendments, and the most recent copy of the future land use map, in order to keep track of plan amendments. The governing body should determine how often it will update the future land use map, based on the number and frequency of plan amendments.

The governing body should also contact the County planning department for information on amending the County comprehensive plan to include any changes made by the local government, particularly if they will affect the Countywide future land use map. Towns that are under County zoning should contact the County before accepting a plan amendment application.

**Sample materials prepared by Southeastern Wisconsin Regional Planning Commission, May 2010
Updated by Rebecca Roberts, Center for Land Use Education, August 2010**

www.sewrpc.org/SEWRPC/communityassistance/EducationalServices2.htm#SmartGrowth

APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT
CITY/VILLAGE/TOWN OF _____, _____ COUNTY

Date of Plan Adoption: _____

Date of Application for Plan Amendment: _____

Attach a legal description and provide the tax key numbers of parcels included in this application:

Property Owner's Name:

Signature

Mailing Address:

City: _____ State: _____ Zip: _____

Phone Number: _____

Note: If the property owner's signature cannot be obtained in the above space, a "letter of agent status" signed by the property owner must be submitted if you are an applicant (tenant, leaseholder, or authorized agent representing the legal owner) acting on their behalf.

Applicant's Name (if different than property owner):

Signature

Mailing Address:

City: _____ State: _____ Zip: _____

Phone Number: _____

Existing planned land use category as shown on the land use plan map:

Proposed land use category:

Reason(s) for Proposed Amendment: (Describe the intended use of the property)

Analysis of Proposed Amendment:

Explain how the proposed amendment is consistent with the goals, objectives, policies, and programs of the multi-jurisdictional comprehensive plan:

Describe surrounding land uses and whether the proposed amendment will be compatible with surrounding uses:

Explain whether the proposed amendment will have any detrimental effects on the environment, or how the project has been designed to avoid such effects.

Explain how the proposed project will provide a substantial public benefit to the community.

Explain if public streets, utilities, and other necessary public services are available to serve the proposed development, or are planned to be available in the near future.

Explain if existing or planned streets, utilities, and other facilities and services are adequate to serve the proposed development.

SAMPLE

**NOTICE OF PUBLIC HEARING
CITY/VILLAGE/TOWN OF _____ PLAN COMMISSION**

NOTICE IS HEREBY GIVEN that a Public Hearing will be conducted by the City/Village/Town of _____ Plan Commission on *(date)*, beginning at *(time)* at the City/Village/Town Hall, *(street address)* to consider a proposed amendment to the City/Village/Town of _____ Comprehensive Plan. The purpose of the public hearing is to accept public comments on the proposed amendment.

An application has been filed by *(name of applicant)* requesting an amendment to the future land use map of the comprehensive plan. The application requests that the future land use map be amended to change the land use designation of a parcel/parcels of land located at *(street address)*, *(tax key number)* (or, *of a parcel(s) of land as described or mapped on the attached Exhibit A*) from _____ to _____.

The public may review copies of the application and the comprehensive plan report at the City/Village/Town Hall during regular office hours. Interested parties may make arrangements with the City/Village/Town Clerk/Planner to obtain a copy of the application at *(phone number)* or *(e-mail address)*.

Interested parties may contact *(name and position)* at *(phone number)* or *(e-mail address)* for additional information regarding the application.

During the Public Hearing, the public is invited to speak on the application. Written comments can be submitted to the City/Village/Town Clerk prior to the meeting and shall become part of the record. The Public Hearing shall be closed when all interested parties in attendance have had a chance to offer comment.

Upon the close of the Public Hearing, a meeting of the City/Village/Town of _____ Plan Commission shall be called to order and the application shall be addressed per the agenda.

By: _____
Chair, City/Village/Town of _____ Plan Commission

SAMPLE

RESOLUTION NO. _____

**RESOLUTION APPROVING AN AMENDMENT TO THE
COMPREHENSIVE PLAN FOR THE CITY/VILLAGE/TOWN OF _____**

WHEREAS, the City/Village/Town of _____, pursuant to Section 62.23 (for cities)/Sections 62.23 and 61.35 (for villages)/Sections 62.23, 61.35 and 60.22(3) (for towns) of the *Wisconsin Statutes*, has established a Plan Commission; and

WHEREAS, the City Council/Village Board/Town Board adopted a Comprehensive Plan on (*insert date*), following extensive public participation; and

WHEREAS, (*name of applicant*) has submitted a request to change the land use designation of a parcel/parcels of land located at (*street address*), (*tax key number*) (*or, of a parcel(s) of land as described or mapped on the attached Exhibit A*) from _____ to _____ on the future land use map adopted as part of the comprehensive plan; and

WHEREAS, the Plan Commission finds that the comprehensive plan, with the proposed amendment, contains all of the required elements specified in Section 66.1001(2) of the *Wisconsin Statutes* and that the comprehensive plan, with the proposed amendment, is internally consistent; and

WHEREAS, the City/Village/Town has duly noticed and held a public hearing on the proposed amendment, following the procedures in Section 66.1001(4)(d) of the *Wisconsin Statutes* and the public participation procedures for comprehensive plan amendments adopted by the City/Village/Town Board.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 66.1001(4)(b) of the *Wisconsin Statutes*, the City/Village/Town of _____ Plan Commission hereby approves the attached amendment No. _____ to the City/Village/Town of _____ Comprehensive Plan.

BE IT FURTHER RESOLVED that the Plan Commission does hereby recommend that the City Council/Village Board/Town Board enact an Ordinance adopting the Comprehensive Plan amendment.

Adopted this ____ day of _____, 2010.

Ayes _____ Noes _____ Absent _____

Chair, City/Village/Town Plan Commission

ATTEST:

Clerk, City/Village/Town of _____
(or Secretary of the Plan Commission)

SAMPLE

ORDINANCE NO. _____

**ORDINANCE ADOPTING AN AMENDMENT TO THE
COMPREHENSIVE PLAN FOR THE CITY/VILLAGE/TOWN OF _____**

The City Council/Village Board/Town Board of _____, Wisconsin, do ordain as follows:

SECTION 1. Pursuant to Section(s) 62.23/61.35/60.22(3) of the *Wisconsin Statutes*, the City/Village/Town of _____ is authorized to prepare and adopt a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the *Wisconsin Statutes*.

SECTION 2. The City Council/Village Board/Town Board, by the enactment of an ordinance, formally adopted the document titled (*insert name here*) as the City/Village/Town comprehensive plan on (*insert date*).

SECTION 3. The Plan Commission, by a majority vote of the entire Commission at a meeting held on (*insert date*), recommended to the City Council/Village Board/Town Board the adoption of an amendment to change the land use designation of a parcel/parcels of land located at (*street address*), (*tax key number*) (*or, of a parcel(s) of land as described or mapped on the attached Exhibit A*) from _____ to _____ on the future land use map adopted as part of the comprehensive plan.

SECTION 4. The City/Village/Town published or posted a Class 1 public notice and held a public hearing regarding the plan amendment.

SECTION 5. The City Council/Village Board/Town Board of _____, Wisconsin hereby adopts the proposed plan amendment.

SECTION 6. The City/Village/Town Clerk is directed to send a copy of this ordinance and the plan amendment to the parties listed in Section 66.1001(4)(b) of the *Wisconsin Statutes*.

SECTION 7. This Ordinance shall take effect upon passage by a majority vote of the full membership of the City Council/Village Board/Town Board and publication or posting as required by law.

ADOPTED this ____ day of _____, 2010.

Mayor/Village President/Town Chair

Ayes _____ Noes _____ Absent _____

Date Published/Posted: _____

Attest: _____
City/Village/Town Clerk

SAMPLE

RESOLUTION NO. _____

**ADOPTING PUBLIC PARTICIPATION PROCEDURES FOR AMENDING THE
COMPREHENSIVE PLAN FOR THE CITY/VILLAGE/TOWN OF _____**

WHEREAS, pursuant to Section 66.1001 of the *Wisconsin Statutes*, all units of government which enact or amend zoning, subdivision, or official mapping ordinances on or after January 1, 2010, must adopt a comprehensive plan; and

WHEREAS, the City/Village/Town of _____ adopted a comprehensive plan under the authority of and procedures established by Section 66.1001 of the *Wisconsin Statutes* on _____; and

WHEREAS, Section 66.1001(4)(a) of the *Wisconsin Statutes* requires that the City Council/Village Board/Town Board adopt written procedures designed to foster public participation during the preparation or amendment of a comprehensive plan; and

WHEREAS, the City Council/Village Board/Town Board of the City/Village/Town of _____ believes that regular, meaningful public involvement in the comprehensive planning process is important to assure that the comprehensive plan continues to reflect input from the public; and

WHEREAS, a public participation plan has been developed that includes written procedures designed to foster public participation in the comprehensive plan amendment process.

NOW, THEREFORE, BE IT RESOLVED that the City Council/Village Board/Town Board of the City/Village/Town of _____ hereby adopts the Public Participation Procedures for Amending the Comprehensive Plan attached hereto as Exhibit A to fulfill the requirements of Section 66.1001(4)(a) of the *Wisconsin Statutes*.

ADOPTED this ____ day of _____, 2010.

Mayor/Village President/Town Chair

Attest: _____
City/Village/Town Clerk

EXHIBIT A

PUBLIC PARTICIPATION PROCEDURES FOR AMENDING THE COMPREHENSIVE PLAN: CITY/VILLAGE/TOWN OF _____

INTRODUCTION AND BACKGROUND

On *(insert date)*, the _____ City Council/Village Board/Town Board adopted a comprehensive plan under Section 66.1001 of the *Wisconsin Statutes* which is called, *(insert title)*. The comprehensive plan was prepared in accordance with a public participation plan adopted by the City Council/Village Board/Town Board on *(insert date)* that included activities to foster public participation in the preparation of the comprehensive plan. Under Section 66.1001(4)(a) of the *Wisconsin Statutes*, future amendments to the comprehensive plan must also be carried out in accordance with a public participation plan, adopted by the City Council/Village Board/Town Board, designed to foster public participation in the amendment process. The balance of this document describes the process to be followed by the City/Village/Town to foster public participation in the consideration of amendments to the comprehensive plan.

PUBLIC PARTICIPATION ACTIVITIES AND PROCEDURES FOR COMPREHENSIVE PLAN AMENDMENTS

The City/Village/Town will provide opportunities for public review of materials describing all proposed amendments to the comprehensive plan, including the following:

- Printed copies of materials describing a proposed plan amendment will be made available at the City/Village/Town Hall.
- Electronic copies of materials describing a proposed plan amendment may be posted on the City/Village/Town website. *(Note: This is suggested for your consideration, but not a requirement.)*

The City Council/Village Board/Town Board, at its option, may schedule a public informational meeting to be held prior to the required public hearing. The public informational meeting will provide an opportunity for the public to review maps and other information relating to the proposed amendment. No formal procedures or notice requirements are required for the informational meeting; however, the City/Village/Town will provide notice of the meeting through its website and through publication or posting.

As required by Section 66.1001(4)(d), the City/Village/Town will hold a public hearing on each proposed amendment to the comprehensive plan. The hearing may be held by the Plan Commission, City Council/Village Board/Town Board, or jointly by the Plan Commission and City Council/Village Board/Town Board. The hearing will include a presentation by the applicant describing the proposed plan amendment followed by an opportunity for the public to comment on the proposed amendment. The Plan Commission and City Council/Village Board/Town Board will consider public testimony provided at the hearing and any written comments submitted to the City/Village/Town at or prior to the hearing during their deliberations on the proposed plan amendment.

The public hearing will be preceded by a Class 1 notice that is published at least 30 days before the hearing is held. In accordance with Section 66.1001(4)(d), the notice will include the date, time, and place of the hearing; a brief summary of the proposed comprehensive plan amendment and/or a map illustrating the proposed amendment; a local contact who may be contacted for additional information on the proposed plan amendment and to whom written comments regarding the plan amendment may be submitted; and information regarding where and when the proposed plan amendment may be inspected before the hearing and how a copy of the proposed plan amendment may be obtained.

The City/Village/Town Clerk will provide a copy of the public hearing notice and the proposed amendment at least 30 days prior to the public hearing to any person who submits a written request to receive notice of a proposed amendment under Section 66.1001(4)(f). The Town may charge a fee to cover the cost of providing such notice. In accordance with Section 66.1001(4)(e), the City/Village/Town Clerk will also provide notice to nonmetallic mining operators within the City/Village/Town; to persons who have registered a marketable nonmetallic mineral deposit within the City/Village/Town; or to persons who own or lease property on which nonmetallic minerals may be extracted, if such person has requested notification in writing. The City/Village/Town Clerk will maintain a list of persons who have submitted a written request to receive notices of public hearings under Section 66.1001(4)(e)(3) and Section (4)(f).

Following the public hearing, the Plan Commission will make a recommendation to the City Council/Village Board/Town Board to approve, deny, or modify the proposed amendment. The Plan Commission's recommendation will be in the form of a resolution approved by a majority of the full membership of Plan Commission.

Following Plan Commission action, the City Council/Village Board/Town Board will consider the amendment and the Plan Commission's recommendation and approve, deny, or refer the proposed amendment back to the Plan Commission. If approved, City Council/Village Board/Town Board approval will be in the form of an ordinance adopted by a majority of the full membership of the City Council/Village Board/Town Board.

If approved by the City Council/Village Board/Town Board, printed or electronic copies of the amendment will be sent by the City/Village/Town Clerk to the parties listed in Section 66.1001(4)(b).