

**ORDINANCE TO ADOPT A COMPREHENSIVE PLAN
AMENDMENT FOR THE VILLAGE OF GREENDALE PURSUANT TO
APPLICABLE WISCONSIN STATUTES**

WHEREAS, the Village of Greendale has by ordinance established a Planning Commission for the Village of Greendale pursuant to Sections 61.35 and 62.23, Wisconsin Statutes; and

WHEREAS, the Village Planning Commission is empowered to recommend to the Village Board the adoption of a Comprehensive Plan for the physical development of the Village, pursuant to Sections 62.23(1), (2) and (3), and Section 66.1001 of the Wisconsin Statutes; and

WHEREAS, Section 62.23(2) and (3) of the Wisconsin Statutes provide that it is the duty of the Planning Commission to adopt a master plan for the physical development of the Village which, together with the accompanying maps, plats, charts, and descriptive and explanatory matter, shall show the Planning Commission's recommendations for such physical development; and

WHEREAS, Section 62.23(3)(a) of the Wisconsin Statutes provides that the master plan shall be made "with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development"; and

WHEREAS, in 1999, the Wisconsin Legislature enacted a comprehensive planning law, which is set forth in Section 66.1001 of the Wisconsin Statutes, that requires that master plans (which are referred to under Section 66.1001 as "comprehensive" plans; referred to herein as "comprehensive plan") be completed and adopted by local governing bodies in order for a town, county, city, or village to enforce its zoning, subdivision, or official mapping ordinances; and

WHEREAS, Section 66.1001(2) of the Wisconsin Statutes sets forth specific requirements affecting the contents and procedures for adoption of a comprehensive plan under Section 62.23(2) or (3) of the Wisconsin Statutes; and

WHEREAS, as of January 1, 2010, Sections 62.23(3)(b) and 66.1001(3) of the Wisconsin Statutes require, in part, that Villages engaging in any of the following actions take such actions in accordance with their comprehensive plan:

- Official mapping established or amended under Section 62.23(6) of the Wisconsin Statutes;
- Local subdivision regulation under Section 236.45 or 236.46 of the Wisconsin Statutes;
- Zoning ordinances and shoreland zoning ordinances enacted or amended under Section 61.35, 62.23(7) and 61.351 of the Wisconsin Statutes and other laws; and

WHEREAS, the Village of Greendale intended to continue to engage in the foregoing activities and, therefore, adopted an original Comprehensive Plan on or about November 17, 2009 that fully complied with Sections 62.23 and 66.1001 of the Wisconsin Statutes; and

WHEREAS, the Village Board adopted an ordinance to formally approve the original Village of Greendale Comprehensive Plan; and

WHEREAS, pursuant to Section 66.1001(2)(i) of the Wisconsin Statutes, a Comprehensive Plan must be updated no less than once every 10 years; and

WHEREAS, to comply with Section 66.1001(2)(i) of the Wisconsin Statutes, the Village of Greendale updated its Comprehensive Plan on or about November 19, 2019; and

WHEREAS, the updated Village of Greendale Comprehensive Plan contemplates regular and periodic review and amendment, to allow the plan to remain current and vital to the community; and

WHEREAS, the Village of Greendale engaged the services of its professional planner consultant, Brianna Fiorillo, to serve as consultant and assist in the preparation of a comprehensive plan amendment for the Village of Greendale; and

WHEREAS, the Village Board adopted written procedures designed to foster public participation in every stage of the preparation of amendments to the comprehensive plan for the Village of Greendale, which included provisions for wide distribution of the proposed elements of the Comprehensive Plan, and provided an opportunity for oral and written comments to be received from the public and for the Village to respond to such comments; and such procedures have been followed in consideration of this matter; and

WHEREAS, the Planning Commission, in conjunction with its consultant and Village Staff, has prepared the Comprehensive Plan amendment, which complies with the requirements of Sections 62.23 and 66.1001 of the Wisconsin Statutes; and

WHEREAS, on or about September 6, 2023, the Village of Greendale Planning Commission recommended the Comprehensive Plan amendment to the Village Board, by Resolution adopted by a majority vote of the entire Planning Commission of the Village of Greendale; and

WHEREAS, on or about September 19, 2023, the Village Board of Trustees held a public hearing to consider public comments regarding adoption of the amendment to the Comprehensive Plan, following due notice being provided in compliance with the requirements of Wisconsin Statutes Sections 66.1001(4)(b), 66.1001(4)(c), 66.1001(4)(d), 66.1001(4)(e) and 66.1001(4)(f); and

WHEREAS, pursuant to the public participation plan adopted by the Village Board, the Village Board has allowed public comments to be submitted in writing prior to the public hearing; and

WHEREAS, the Village Board for the Village of Greendale, having carefully reviewed the recommendation of the Village Planning Commission, having considered all public comments received, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, including consideration of the plan components related to issues and opportunities, housing, transportation, utilities and community facilities, agricultural, natural and cultural resources, economic development, intergovernmental cooperation, land use, and implementation, has determined that the comprehensive plan will serve the general purposes of guiding and accomplishing a coordinated, adjusted and harmonious development of the Village of Greendale which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development.

NOW, THEREFORE, the Village Board of the Trustees of the Village of Greendale, by a majority vote of the members-elect of the Village Board, do hereby ordain as follows:

Section 1. The Village of Greendale Comprehensive Plan is amended as follows: The property identified as tax key no. 663-0468-002, is proposed to be changed from a "Root River Parkway" classification to the "Commercial/Business" land use classification.


Section 2. Filing. The Village Clerk is directed to provide a copy of this ordinance and a copy of the Village of Greendale Comprehensive Plan that is hereby adopted to the persons and entities described in Wisconsin Statutes Section 66.1001(4)(b), as required by Wisconsin Statutes Section 66.1001(4)(c).

Section 3. Severability. The several sections and portions of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Section 4. Effective date. This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.


ADOPTED THIS 19th day of September, 2023.

BY THE VILLAGE BOARD
VILLAGE OF GREENDALE



Jason Cyborowski, Village President

ATTEST:



Melanie Van Kauwenberg, Village Clerk

Published and/or posted this _____ day of _____, 2023.

