

ORDINANCE NO. OR06-02

**AN ORDINANCE AMENDING THE MUNICIPAL CODE
CHAPTER 66, PLANNING, ARTICLE III,
SMART GROWTH COMPREHENSIVE PLAN,
SECTION 66-51 THROUGH SECTION 66-55,
AS IT RELATES TO THE SMART GROWTH COMPREHENSIVE PLAN
IN THE CITY OF BRILLION, CALUMET COUNTY, WISCONSIN**

The Common Council of the City of Brillion do ordain as follows:

SECTION 1. Chapter 66, Planning, Article III, Smart Growth Comprehensive Plan, Section 66-51 through Section 66-55 are hereby repealed and recreated as follows:

ARTICLE III. SMART GROWTH COMPREHENSIVE PLAN

Sec. 66-51. Declaration of Intent.

Pursuant to the provisions of Ch. 66.1001 and Ch. 60.22(3)Wis. Stats., the Brillion City Council, Calumet County, Wisconsin does ordain as follows:

Having completed the City and Town of Brillion Coordinated Comprehensive Plan, as part of a multi-jurisdictional effort with the Town of Brillion, in accordance with the requirements stipulated in Wisconsin's Smart Growth Law, 1999 Wisconsin Act 9, and defined in Ch. 66.1001 Wis. Stats., and as recommended for adoption by the City Planning Commission on June 2, 2003, and posted in accordance with Class I Public Notice requirements, the Brillion City Council hereby adopts the City and Town of Brillion Coordinated Comprehensive Plan as the guide for future land use and development decisions in the City. All programs and actions of the City that affect land use shall be consistent with the comprehensive plan. This includes any other ordinances, plans or regulations of the City that relate to land use, including, but not limited to: Cooperative Boundary Agreements entered into under s. 66.0307, Municipal Boundary Agreement Fixed under s. 66.0225, Local Subdivision Regulation under s. 236.45, City Zoning Ordinances, Land Acquisition for Recreational Lands under s. 23.09(20), and Construction Site Erosion Control and Stormwater Management Zoning under s. 61.354.

Sec. 66-52. Background.

On April 7, 2003, the City of Brillion Planning Commission unanimously recommended the City and Town of Brillion Coordinated Comprehensive Plan be distributed, in accordance with 1999 Wisconsin Act 9, as the City's recommended plan. The plan represents the culmination of a 30-month planning program, including extensive public involvement.

Since that motion was passed, copies of the recommended plan were forwarded to the East-Central Wisconsin Regional Planning Commission, Wisconsin Department of Natural Resources, Wisconsin Department of Transportation, adjoining Towns, the Brillion School District, Calumet County, Manitowoc County, and the Wisconsin Land Council c/o Wisconsin Department of Administration. Comments from these agencies and governments were requested

by June 2, 2003. Copies of the recommended plan have been displayed on the internet, at the City Hall, and at the City Public Library for 30 days prior to the June 2, 2003 Public Hearing.

Following the public hearing, the Planning Commission unanimously recommended the City Council, subject to corrections and comments received during the 30-day comment period and public hearing, adopted the City and Town of Brillion Coordinated Comprehensive Plan.

On February 6, 2006, the City of Brillion Plan Commission adopted a resolution recommending the City and Town of Brillion Coordinated Comprehensive Plan be amended to satisfy requirements of the State of Wisconsin Comprehensive Planning Grant program and the smart growth law under s. 66.1001.

Since that motion was passed, copies of the recommended plan were forwarded to the East-Central Wisconsin Regional Planning Commission, Wisconsin Department of Natural Resources, Wisconsin Department of Transportation, adjoining Towns, the Brillion School District, Calumet County, Manitowoc County, and the Wisconsin Land Council c/o Wisconsin Department of Administration. Comments from these agencies and governments were requested by March 27, 2006. Copies of the recommended plan have been displayed on the internet, at the City Hall, and at the City Public Library for 30 days prior to the March 27, 2006 Public Hearing.

Following the public hearing, the City Council, subject to corrections and comments received during the 30-day comment period and public hearing, adopted the City and Town of Brillion Coordinated Comprehensive Plan.

Sec. 66-53. Authority.

This ordinance is enacted pursuant to power granted by virtue of present Wisconsin Statutes, including Section 66.1001(4)(c).

Sec. 66-54. Definition.

Comprehensive Plan is a plan for development that recognizes the physical, economic, social, political, aesthetic, and related factors of the community. As required by the Wisconsin Smart Growth Legislation, the comprehensive plan addresses nine (9) required plan elements: Issues & Opportunities, Housing, Transportation, Agricultural Natural & Cultural Resources, Economic Development, Land Use, Intergovernmental Coordination and Implementation.

Sec. 66-55. Restrictions.

The City of Brillion Planning Commission shall review and recommend all subsequent amendments to the plan to City Council. All amendments shall require a public hearing and Class I Public Notice. Copies of the recommended and approved changes shall be mailed to all neighboring units of government and affected agencies, in accordance with the Wisconsin Statutes Section 66.1001 (4)(b) requirements for Plan Commission recommendation of the original plan.

SECTION II: This ordinance shall take effect upon passage and publication as required by law.

Ordinance Number OR06-02 introduced and its adoption moved by Alderperson Schneider; and seconded by Alderperson Edinger.

Upon a pole vote thereon, the result was as follows:

<u>8</u>	Votes Cast
<u>8</u>	Votes Yes
<u>0</u>	Votes No

The Mayor declared Ordinance Number OR06-02 adopted, approved and signed the same this 27th day of March, 2006.

Robert Mathiebe
Mayor

Attested:

Lori M. Gosz, CMC
City Administrator/Clerk-Treasurer