

§ 340-136. Initiation of change.

A change or amendment to a zoning district or this chapter may be initiated by: Town Board, Town Plan Commission, or by a petition of one or more of the owners, lessees, purchase option holders, or holders of a contract to purchase of property within the area proposed to be changed.

§ 340-137. Petitions.

Petitions for any change to the district boundaries or amendments to this chapter shall be filed with the Town Clerk. The petition shall describe the premises to be rezoned, or the portion of this chapter to be amended, list the reasons justifying the petition, specify the proposed use and have attached the following:

- A. Plot plan drawn to a scale of one inch equals 100 feet showing the area proposed to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of all properties within 500 feet of the area proposed to be rezoned.³⁴
- B. Owners' names and addresses of all properties lying within 500 feet of the area proposed to be rezoned.³⁵
- C. Additional information required by the Town Plan Commission or Town Board.

§ 340-138. Plan Commission recommendation.

The Town Plan Commission shall review all proposed changes and amendments within the limits of the Town and shall recommend to the Town Board that the petition be granted as requested, modified, or denied. Such recommendation shall be made at a Plan Commission meeting subsequent to the meeting at which the petition is first submitted and shall then be made in writing to the Town Board.

§ 340-139. Public hearing.

The Town Board shall hold a public hearing upon each proposed change or amendment(s) recommended by the Plan Commission. The Town Board shall give notice of any such public hearing as specified in Article XIV of this chapter.

§ 340-140. Town Board action.

Following such hearing and after careful consideration of the Town Plan Commission recommendation(s), the Town Board shall vote on the passage of the proposed change or amendment.

34. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

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§ 340-141. Protest.

In the event of a protest against such district change or amendment to the regulations of this chapter, duly signed and acknowledged by the owners of 20% or more either of the areas of the land included in such proposed change or by the owners of 20% or more of the land immediately adjacent extending 100 feet from the street frontage of such opposite land, such change or amendment shall not become effective except by a unanimous vote of the Town Board.

§ 340-142. Changes to A-1 Agricultural District.

A. No change in the A-1 Agricultural District shall be recommended unless the Plan Commission finds that:

- (1) Adequate public facilities to accommodate development either exist or will be provided within a reasonable time.
- (2) Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of local units of government to provide them.
- (3) The land proposed for rezoning is suitable for development and development will not result in undue water and air pollution, cause unreasonable soil erosion, or have an unreasonably adverse effect on rare or irreplaceable natural resources.

B. The Town Board shall notify the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) of any change in the A-1 Agricultural District.

ARTICLE XIII**Administration and Enforcement****§ 340-143. Duties of Plan Commission and Building Inspector.**

A. The Town Plan Commission shall have the duties of making reports and recommendations as to the planning and development of the Town to the Town Board, public officials, agencies, public utility company(s), civic, educational, professional and other organizations and citizens.

B. The Town Plan Commission shall review all plans submitted under this chapter for the purpose of promoting compatible development and stability of property values, fostering the attractiveness and functional utility of the Town as a place to live and work, preserving the character and quality of the built environment, maintaining the integrity of those areas which have a discernible natural or historical character, and protecting certain public investments. The Town Plan Commission may recommend for approval said plans only after determining that:

- (1) The proposed use(s) conforms to the use(s) permitted in that zoning district.
- (2) The dimensional arrangement of buildings and structures conforms to the required area, yard, setbacks, and height restrictions and other standards set forth in this chapter.