

Title 2 Chapter 1

Plan Commission

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Sec. 2-1-1 Title/Purpose

The title of this Chapter is Plan Commission. The purpose of this Chapter is to establish a Town of Arlington Plan Commission and set forth its organization, powers and duties to further the health, safety, welfare and wise use of resources for the benefit of current and future residents of the Town and affected neighboring jurisdictions, through the adoption and implementation of comprehensive planning with significant citizen involvement.

Sec. 2-1-2 Authority

The Town Board of the Town of Arlington has the general authority under Wis. Stats. §60.20 and §60.30 to adopt this Chapter and establish a seven (7) member Plan Commission under §61.35 and §62.23, Wis. Stats. The Plan Commission shall be considered the “Town Planning Agency” under §236.02(13) and §236.45, Wis. Stats., which authorize, but do not require, Town adoption of a subdivision or other land division ordinance.

Sec. 2-1-3 Membership

The Plan Commission consists of one (1) member of the Town Board, who may be the Town Board Chairperson, and six (6) citizen members, who are not otherwise town officials, and who shall be persons of recognized experience and qualifications.

Sec. 2-1-4 Appointment

The Town Board Chairperson will appoint Plan Commission members to staggered terms of office of one (1), two (2), or three (3) years and will appoint the Plan Commission Chairperson.

Sec. 2-1-5 Officers

The members of the Plan Commission shall elect a Chairperson to be the Commission's presiding officer, a Vice Chairperson and Secretary (if one is not provided by the Town Board) from among its membership. The Chairperson shall be a voting member of the Commission.

Sec. 2-1-6 Quorum, Records

Four (4) members of the Plan Commission shall constitute a quorum and all actions shall require the affirmative approval of a majority of those present. The Plan Commission shall keep a written record of its proceedings to indicate its findings, determinations and all actions taken. A copy of the record shall be provided to the Town Clerk.

Sec. 2-1-7 Power

The Plan Commission shall have the power and authority enumerated in Section 62.23, Wis. Stats., to the extent relevant, including the power to employ experts and staff, and to pay for their services and such other expenses as may be necessary and proper, not exceeding, in all, the appropriation that may be made for such Commission by the Town Board, or placed at its disposal through gift, and subject to any ordinance or resolution enacted by the Town Board.

Sec. 2-1-8 Functions

(A) Master Plan. The Plan Commission may make and adopt and as necessary, amend, extend or add to the master plan for the physical development of the town, subject to Town Board confirmation. The master plan, with the accompanying maps, plats, charts, and descriptive and explanatory matter, shall show the Commission's recommendations for such physical development, and may include, among other things without limitation because of enumeration, the general location, character and extent of streets, highways, freeways, street grades, roadways, walks, parking areas, public places and areas, parks, parkways, playgrounds, sites for public buildings and structures, airports, pierhead and bulkhead lines, waterways, routes for railroads and buses, historic districts, and the general location and extent of sewers, water conduits and other public utilities whether private or publicly owned, the acceptance, widening, narrowing, extension, relocation, removal, vacation, abandonment or change of use of any of the foregoing public ways, grounds, places, spaces, buildings, properties, utilities, routes or terminals, and the general location, character and extent of community centers and neighborhood units.

(B) Procedure to Adopt Master Plan. The Plan Commission may adopt the master plan as a whole by a single resolution, or, as the work of making the whole master plan progresses, may from time to time by resolution adopt a part of parts thereof, any such part to correspond generally with one or more of the functional subdivisions of the subject matter of the plan. The adoption of the plan or any part, amendment or addition, shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the Plan Commission, subject to confirmation by the Town Board. The resolution shall refer expressly to the maps, descriptive matter, and other matters intended by the Plan Commission to form the whole or any part of the plan.

(C) Public Hearings

(1) Prior to action by the Town Board on any request to Columbia County for rezoning, variance, or conditional use permit pursuant to the Columbia County Zoning Code, a public hearing shall be held before the Plan Commission, and the Plan Commission shall make a recommendation on such request to the Town Board at the same or next Plan Commission meeting.

(2) The petitioner or applicant making any such request to Columbia County shall, either prior to, but in no event later than the time the request therefore is filed with the County, file a copy of the application or request form, if possible, with the Town Clerk together with the following information, as applicable to such request:

(a) Name and street address of the petitioner and a description of the petitioner's legal interest in the property;

(b) Legal description of the property to be affected;

(c) The existing use of all buildings on such property;

(d) The principal uses of all real estate as follows:

(i) Rezoning – 1000 feet

(ii) Variance – 100 feet

(iii) Conditional Use Permit – 1000 feet

(e) The purpose for which such property is to be used.;

(f) Facts indicating that the proposed change will not be detrimental to the general public interests and the purposes of the Columbia County Zoning Code;

(g) Plot plan or survey plat, roughly drawn to scale, showing the property proposed to be changed, location of structures, and property lines;

(h) With respect to a variance request, complete explanation of the nature and extent of hardship(s) justifying variance; and

(i) Such other information as may be required by the Plan Commission to facilitate the making of a comprehensive report to the Town Board.

(3) The Plan Commission shall hold a public hearing upon each such request, giving notice of the time, place, and the request by publication of a

Class 1 notice under Chapter 985, Wis. Stats. At least ten (10) days prior to the hearing, written notice thereof shall be given by the Town Clerk or the recording secretary of the Plan Commission by regular mail to all property owners abutting and opposite the real estate for which application is made as follows:

- (a) Rezoning – 1000 feet
- (b) Variance – 100 feet
- (c) Conditional Use Permit – 1000 feet.

(4) The petitioner requesting the particular action shall pay to the Town an application fee at the time of the filing of the petition or application in an amount to be determined from time-to-time by resolution of the Town Board. In addition, petitioner shall pay to the Town Clerk the Town's administrative costs in connection with the request, including reasonable engineering fees and attorney fees, such amount to be paid within thirty (30) days of billing by the Town Clerk. If not paid when due, the Town may impose a lien against the property of the petitioner as a special charge under Section 66.60(16)(a), Wis. Stats., and applicant, by requesting action by the Town Board on such request, agrees to the imposition of such lien.

Sec. 2-1-9 Matters Referred to Plan Commission

The Town Board or other public body or officer of the Town having final authority thereon shall refer to the Plan Commission, for its consideration and report before final action is taken by the Town Board, public body or officer, the following matters: the location and architectural design of any public building; the location of any statutes or other memorial: the location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of any land for any street, alley or other public ways, park, playground, airport, area for parking vehicles, or other memorial or public grounds; the location, extension, abandonment or authorization for any public utility whether publicly or privately owned; all plats of land or Certified Survey Maps presented pursuant to Chapter 236, Wis. Stats., or any Town Subdivision Ordinance; proposed rezoning by the County Board of lands located within the town; the location, character and extent or acquisition, leasing or sale of lands for public or semi-public housing, slum clearance, relief of congestion, or vacation camps for children; and the amendment or repeal of any land use ordinance. Unless such report from the Plan Commission is made within thirty (30) days, or such longer period as may be stipulated by the Town Board or otherwise provided by state statute or ordinance, the Town Board or other public body or officer may take final action without it.