

Chapter 2.12

PLANNING AND ZONING BOARD

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2.12.010 Establishment.

There is established a town planning and zoning board. (Editorially amended during 2001 codification; prior code § 1.20(1))

2.12.020 Membership.

The town planning and zoning board shall consist of seven members, all members shall be residents of the town with one member being the town chairman. In addition, a representative from the City of Burlington may be included as a non-voting representative (they shall not be considered a member). Other than the chairman, the other members shall be of recognized experience and qualifications appointed by the town chairman subject to the confirmation of the town board. The resident members shall serve with compensation. The non-resident representative shall serve without compensation. Non-attendance to meetings and training, as well as failure to follow guidelines, could be grounds for termination. Each year when appointments are made, all planning and zoning members and town board members are required to attend training to be held at the town hall presented by a professional planner. Members are also encouraged to attend additional training sessions. The town will reimburse members for classes attended

which are approved by the town board. (Ord. dated 1/14/10)

A. Presiding Officer. The town chairman.

B. Secretary. The town clerk.

C. Official Oaths. Official oaths shall be taken by all members in accordance with Section 19.01, Wis. Stats., within ten (10) days of receiving notice of their appointments.

D. Terms. The citizen members shall all serve three year terms. (Ord. dated 5/11/06). (Ord. dated 8/22/02: editorially amended during 2001 codification; § 1.20(2))

2.12.030 Organization.

The town planning and zoning board shall organize and adopt rules for its own government in accordance with the provisions of this chapter.

A. Meetings. Meetings shall be held monthly or at the call of the presiding officer or a majority of the full board and shall be open to the public.

B. Standing and Special Committees. Standing and special committees may be appointed by the chairman.

C. Quorum. The quorum shall be represented by a majority (four members) of the board. If there is not a quorum of appointed members at a particular meeting, a substitute, who may be a town board member or town employee, may be appointed for the limited purpose of serving on the P&Z board, by the town chairman. This limited appointment is to establish a quorum only. (Ord. dated 5/11/06)

D. Written Record. Written records shall be kept showing all actions taken, resolutions, findings, determinations, transactions and recommendations made; and a copy shall be filed with the town clerk as a public record. (Ord. dated 9/9/04; editorially amended during 2001 codification; prior code § 1.20(3))

2.12.040 Powers.

The town planning and zoning board shall have such powers as may be necessary to enable it to perform its functions and duties and promote municipal planning. Such powers shall include the following:

A. Employment of Experts and Staff. Employ and pay experts and staff for their services, supplies and such other expenses as may be necessary and proper, not to exceed the appropriations and regulations made by the town board, and the initial annual budget of the planning and zoning board shall be as established by the town board and amended from time to time.

B. Make Reports and Recommendations. Make reports and recommendations relating to the plan and development of the municipality to public officials, agencies, utilities and other organizations and citizens.

C. Recommend Public Improvement Programs. Recommendations of and financing public improvement programs to the town board or town chairman.

D. Request Available Information. Request available information from any public official to be furnished within a reasonable time.

E. Enter Upon Any Land. The planning and zoning board, its members and employees, may enter upon any land in the performance of its functions, make examinations and surveys and place and maintain necessary monuments and marks thereon, except that in such event, the planning and zoning board, its members and employees shall be responsible and make restitution for any damages sustained by a property owner or occupant by virtue of such entry and shall forthwith pay the same. (Editorially amended during 2001 codification; prior code § 1.20(4))

2.12.050 Duties.

The town planning and zoning board shall have the following functions and duties:

A. Make and Adopt Master Plan. A master plan may be adopted for the physical development of the town including any areas outside of its boundaries in accordance with Section 62.23(2) and (3), Wis. Stats.

B. Make and Recommend an Official Map. An official map shall be recommended to the town board in accordance with Section 62.23(6), Wis. Stats.

C. Prepare and Recommend a Zoning District Plan. Preparation and recommendation of a zoning district plan, and regulations, shall be presented to the town board in accordance with Section 62.23(7), Wis. Stats.

D. Prepare and Recommend Land Division Regulations. Preparation and recommendation of land division regulations shall be presented to the town board in accordance with Section 236.45, Wis. Stats.

E. Make Any Changes to Master Plan. Any changes deemed necessary or desirable to the master plan shall be made by the planning and zoning board and it shall recommend any changes or amendments to the town board that it deems necessary or desirable concerning the official map, zoning, land division and fire prevention ordinances. F. Consider and Report or Make Recommendations. All matters referred to the planning and zoning board shall be considered and reports or recommendations shall be made to the town board. (Editorially amended during 2001 codification; prior code § 1.20(5))

2.12.060 Referrals.

The town board or other public body or officer of the town having final authority thereon shall refer to the town planning and zoning board for its consideration and report

before final action is taken, the following matters:

A. Location and Architectural Design. The location and architectural design of any public building.

B. Location of Any Statue or Other Memorial. The location, acceptance, extension, alteration, vacation, abandonment, change of use sale, acquisition or lease of land for any street, alley or other public way, park, playground, airport, parking area or other memorial or public grounds.

C. Location, Extension, Abandonment. The location, extension, abandonment or authorization for any public utility, whether publicly or privately owned.

D. Location, Character and Extent. The location, character and extent or acquisition, leasing or sale of lands for public or semipublic housing, slum clearance, relief of congestion or vacation camps for children.

E. Proposed Fire Prevention Regulations.

F. All Annexations. All annexations, incorporations or consolidations affecting the town.

G. All Divisions of Lands. All divisions of lands within the town's platting jurisdiction.

H. All Proposed or Requested Changes and Amendments. All proposed or requested changes and amendments to the town's master plan, official map, zoning, land division and fire prevention ordinances. (Editorially amended during 2001 codification; prior code § 1.20(6))

2.12.070 Additional powers and duties.

The town planning and zoning board shall have all additional powers and duties granted or signed by the town board or town. (Editorially amended during 2001 codification; prior code § 1.20(7))

2.12.080 Sign posting required when.

Any person who shall appear before the town planning and zoning committee with a request for a conditional use, land division, rezone, land use plan variance, oversized garage, or any other purpose, shall be required to pay all appropriate fees and deposits, and to post a sign on the property affected at least three weeks prior to the date of the hearing before the planning and zoning committee. The sign shall be picked up at the town hall and posted in a conspicuous place on the property adjacent to the street, which is visible to the public, on the property affected by the request. Failure to properly post the sign may result in adjournment of the hearing or denial of the application or request. The person required to post such sign shall pay the town the sum of one hundred fifty dollars (\$150.00) as a deposit to guarantee return of the sign by that person to the town after final board action. Failure to return the sign by Wednesday of the week following final board action, shall result in the applicant forfeiting the \$150.00 deposit and the Town retrieving the sign from the property. (Ord. dated 7/12/07)