

ORDINANCE 06-22
ORDINANCE TO ADOPT THE UPDATED
COMPREHENSIVE LAND USE PLAN
OF THE TOWN OF JEFFERSON, WISCONSIN

STATE OF WISCONSIN

Town of Jefferson

Jefferson County

WHEREAS, the Town of Jefferson has by ordinance established a Plan Commission for the Town of Jefferson pursuant to Sections 60.62, 61.35 and 62.23, Wisconsin Statutes; and

WHEREAS, the Plan Commission is empowered to recommend to the Town Board, the adoption of a Comprehensive Land Use Plan for the physical development of the Town, pursuant to Sections 60.62, 61.35, 62.23(1), (2) and (3), and 66.1001 of the Wisconsin Statutes; and

WHEREAS, Sections 60.62, 61.35 and 62.23(2) and (3) of the Wisconsin Statutes provide that it is the duty of the Plan Commission to adopt a master plan for the physical development of the Town which, together with the accompanying maps, plats, charts, and descriptive and explanatory matter, shall show the Plan Commission's recommendations for such physical development; and

WHEREAS, Sections 60.62, 61.35 and 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 master plan”) be completed and adopted by local governing bodies in order for a town, county, city, or Town 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 master plan under Sections 60.62, 61.35 and 62.23(2) or (3) of the Wisconsin Statutes; and

WHEREAS, Sections 60.62, 61.35 and 62.23(3)(b) and 66.1001(3) of the Wisconsin Statutes require, in part, that Towns engaging in any of the following actions to take such actions in accordance with their comprehensive master 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 enacted or amended under Section 60.62, of the Wisconsin Statutes and other laws; and

WHEREAS, The Town of Jefferson has adopted the Town of Jefferson Comprehensive Land Use Plan to help guide provision of services and the future development of land within their jurisdiction; and

WHEREAS, the adopted Town of Jefferson Comprehensive Land Use Plan contemplates regular and periodic review and amendment, to allow the plan to remain current and vital to the community; and

WHEREAS, an update of the adopted Town of Jefferson Comprehensive Land Use Plan is warranted by the age of the adopted plan and other factors; and

WHEREAS, the Plan Commission for the Town of Jefferson, in conjunction with its Town Staff, has prepared the Updated Comprehensive Land Use Plan attached hereto and incorporated herein by reference as Exhibit A, which complies with the requirements of Sections 62.23 and 66.1001 of the Wisconsin Statutes; and

WHEREAS, on or about June 6, 2022, the Plan Commission for the Town of Jefferson recommended the Updated Comprehensive Land Use Plan to the Town Board, by Resolution adopted by a majority vote of the entire Plan Commission for the Town of Jefferson; and

WHEREAS, on or about July 7, 2022, the Town Board held a public hearing to consider public comments regarding adoption of the Updated Comprehensive Land Use 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 Town Board, the Town Board has allowed public comments to be submitted in writing prior to the public hearing; and

WHEREAS, the Town Board for the Town of Jefferson, having carefully reviewed the recommendation of the Plan Commission for the Town of Jefferson, 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 Updated Comprehensive Land Use Plan will serve the general purposes of guiding and accomplishing a coordinated, adjusted and harmonious development of the Town of Jefferson 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 Town Board for the Town of Jefferson, Jefferson County, Wisconsin, by a majority vote of the members-elect do hereby ordain as follows:

SECTION 1. The Town Board of the Town of Jefferson, Jefferson County, Wisconsin, does by enactment of this ordinance, formally adopt the updated document entitled, "Town of Jefferson Updated Comprehensive Land Use Plan 2022-2042 as described in Exhibit A attached hereto and incorporated by reference.

SECTION 2. Filing. The Town Clerk is directed to provide a copy of this ordinance and a copy of the Town of Jefferson Updated Comprehensive Land Use Plan that is hereby adopted to the persons and entities described in Wisconsin Statutes Section 66.11001(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 7th day of July, 2022.

Gregg Hill, Chairperson

Curtis Backlund, Supervisor

Deb Kind, Supervisor

Jim Mode, Supervisor

Tracie Stammer, Supervisor

ATTEST TO:

Tina Barnes, Clerk

Date Adopted: July 7, 2022

Date Posted: July 12, 2022

Effective Date: July 12, 2022