

ORDINANCE 2015-02
AMENDING SECTION 13 CHAPTER 1 OF THE VILLAGE OF FREDONIA CODE OF
ORDINANCES PERTAINING TO REQUIREMENTS OF SITE PLAN SUBMITTAL

SEC. 13-1-224 VILLAGE PLAN COMMISSION.

(a) Creation and Composition. The Village of Fredonia has created a Plan Commission in accordance with Section 62.23 Wisconsin Statutes. The commission has a total of seven members. The Village President serves on the Plan Commission and is responsible for appointing the other six members. The members of the commission shall be appointed to hold office for a period of 3 years. Appointments shall be made by the Village President during the month of April for terms that expire in April or at any other time if a vacancy occurs during the middle of a term. The Plan Commission shall always have at least three (3) citizen members who are not Village officials. Citizen members shall be persons of recognized experience and qualifications.

(b) Expenses. The Plan Commission shall have power and authority to employ experts and a staff, and to pay their wages 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 Village Board, or placed at its disposal through gift, and subject to any ordinance or resolution enacted by the Village Board.

(c) Rules of Procedure. The Plan Commission may adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which shall be a public record.

(d) Master Plan. It shall be the function and duty of the Commission to make and adopt a master plan and from time to time amend, extend, or add to the master plan as provided in Section 62.23(3) of the Wisconsin Statutes.

(e) Similar Use Interpretations for Conditional Uses. It shall be the duty of the Plan Commission to review requests for similar use interpretations when the unclassified or unspecified use is similar to a use that is listed as a conditional use in a given zoning district under Section 13-1-44. The Plan Commission shall follow procedures as set forth under Section 13-1-226 in making the similar use interpretation. Applications for interpretations related to uses that are similar to permitted uses in any given district are heard by the Village Board under Section 13-1-226.

(f) Site Plan and Architectural Review.

(1) Purpose. For the purpose of promoting compatible development, stability of property values, and to prevent impairment or depreciation of property values, no person shall use, erect, construct, alter, or enlarge any structure, other than single-family and two-family dwellings and A-1 agricultural buildings and structures, nor shall any substantial changes be made to any site improvements in any district, without first obtaining the approval of detailed site and architectural plans as set forth in this section. This section shall not apply to interior remodeling work that has no effect on the exterior design or appearance of such building or structure.

(2) Plan Commission Review. The Plan Commission may take action to approve, approve with conditions or deny items which come before it. The Plan Commission shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, loading and unloading, highway access, traffic

generation and circulation, drainage, sewerage and water systems, other utilities, utilization of landscaping and open space, and the proposed operation in accordance with Village Ordinances and proper planning principals. Plan Commission action is final for some types of items, whereas others require additional levels of review and approval as follows:

a. Site Plan and Architectural Review. The Plan Commission considers applications and approves, denies, or conditionally approves the proposal. Following Plan Commission action, the Village Board is informed of the Plan Commission decision. Once Plan Commission approval is achieved, the item requires Architectural Control Board Review and approval.

b. Subdivision Review. The Plan Commission considers plats and certified survey maps, and approves, denies or conditionally approves the proposal. Plan Commission action is advisory to the Village Board which has final approval authority.

c. Conditional Uses. The Plan Commission holds public hearings prior to the issuance of permits for conditional uses in the Village. The Plan Commission may approve, deny or conditionally approve the application for a conditional use permit. Plan Commission action is final. The Village Board is informed of the Plan Commission action on the matter.

d. Rezoning. The Plan Commission considers applications for rezoning and makes a recommendation to the Village Board which has authority to approve or deny rezoning requests.

(3) Site Plan. A drawing or set of drawings to scale that show the existing site, the proposed improvements, grading, landscape, and site encumbrances such as easements. The site plan shall include one or more of the following as determined by the village engineer based on physical characteristics of the property:

- a. Existing Buildings
- b. Existing pavement identifying use and type of pavement.
- c. Existing structures or other site improvements
- d. Existing landscape and green areas identified by type (e.g. lawn, meadow, woods, etc.)
- e. Existing trees over 6 inches in diameter
- f. Existing utilities above and below ground
- g. Existing easements
- h. Existing grades with 2' or smaller contour interval
- i. Plat of survey showing the property boundary that meets the requirements of Wisconsin Administrative Code AE-7
- j. Proposed buildings
- k. Proposed parking
- l. Proposed walks
- m. Proposed drives
- n. Proposed structures
- o. Proposed utilities above and below ground
- p. Proposed easements
- q. Proposed landscaping
- r. Proposed stormwater facilities
- s. Proposed erosion control practices
- t. Proposed grades with 1' or smaller contour intervals
- u. Proposed first floor, top of slab, or top of block elevation as appropriate
- v. Scale shall be appropriate for the size of the site to facilitate review.

Applicant shall submit 10 copies of the site plan to the Village

(4)-(3) Standard Of Review. In determining whether to approve site and architectural plans for new structures, uses and changes or additions to existing structures and uses, the Plan Commission shall consider the following:

- a.** Whether the design or exterior appearance of the structure is compatible with its surroundings or is of such unorthodox or abnormal character in relationship to its surroundings as to be unsightly or offensive with the surrounding area.
- b.** Whether the design or exterior appearance of the structure is identical with those adjoining as to create excessive monotony or drabness.
- c.** Whether any exposed facade of the structure is constructed or faced with a finished material which is aesthetically incompatible with the other facades or presents an unattractive appearance to the public and to surrounding properties.
- d.** Whether the structure or use would unnecessarily destroy or substantially damage the natural beauty of the area, particularly insofar as it would adversely affect values incident to ownership of land in that area; or which would unnecessarily have an adverse effect on the beauty and general enjoyment of existing structures on adjoining properties.
- e.** Whether the structure and use would have a negative impact on the maintenance of safe and healthful conditions in the Village.
- f.** Whether the structure and use shall maintain existing topography, drainage patterns, and vegetative cover insofar as is practical. The Plan Commission may require that drainage easements be executed. Property owners shall comply with existing subdivision or development grading plans.
- g.** Whether there shall be adequate provision for safe traffic circulation and safe driveway locations. In considering the location of driveways, the Commission shall consider those factors set forth elsewhere in the Code.
- h.** Whether there shall be adequate provision for parking and loading areas.
- i.** Whether lighting shall be installed in accordance with all applicable ordinances.
- j.** Whether there shall be adequate provision for public services.
- k.** Whether the structure and uses shall make appropriate use of open spaces and shall provide appropriate landscaping and planting screens.
- l.** Whether appropriate erosion control measures are being utilized.

(5)-(4) Sureties. The Plan Commission may impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule.

(6)-(5) Appeals. Any person or persons aggrieved by any decisions of the Plan Commission or Building Inspector related to plan review may appeal the decision to the Board of Zoning Appeals. Such appeal shall be filed with the Zoning Administrator within twenty (20) days after the decision.

This ordinance shall take effect and be in force one day after its passage and posting as provided by law.

PASSED AND ADOPTED by the Fredonia Village Board, Ozaukee County, Wisconsin, this _____ day of _____, 2015.

FREDONIA VILLAGE BOARD

ATTEST:

Donald Dohrwardt
Village President

Village Clerk