

TOWN OF GREEN VALLEY
COMPREHENSIVE PLAN ORDINANCE

ORDINANCE # 2004-02

Adoption Date 08/11/2004
Amended Date 1-13-10

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The Town of Green Valley, Shawano County, Wisconsin, does hereby ordain as follows:

Section 1. Title

This ordinance is entitled the "*Town of Green Valley Comprehensive Plan Ordinance*."

Section 2. Purpose

The purpose of this ordinance is to update the 1997 Town of Green Valley Land Use Plan by establishing a *Town of Green Valley Comprehensive Plan 2004*, as required by Wisconsin Statute #66.1001(2) and #62.23, to promote the public health, safety and welfare of the Town by effectively guiding long-range growth and development. The *Town of Green Valley Comprehensive Plan 2004* provides goals, objectives, policies, and recommendations for future land use, transportation, housing, economic development, utilities, community facilities, agricultural resources, natural resources, cultural resources, intergovernmental relations and implementation. Implementation of the Comprehensive Plan is accomplished through other sections of the Town of Green Valley Ordinance Code and through more detailed plans, public investments, private development decisions, intergovernmental cooperation, and citizen involvement.

Purpose of the 2010 amendment is to approve the review of the *Town of Green Valley Comprehensive Plan 2004*, as suggested in the original Comprehensive Plan that was adopted in 2004.

Section 3. Statutory Authority

The authority for the Town of Green Valley to prepare and adopt a comprehensive plan is established under Section 62.23 and Section 66.1001, Wisconsin Statutes.

Section 4. Elements Covered

Section 66.1001(2) of the Wisconsin statutes specifies the required contents of a comprehensive plan. These consist of:

ISSUES AND OPPORTUNITIES
HOUSING
TRANSPORTATION
UTILITIES AND COMMUNITIES FACILITIES
AGRICULTURAL, NATURAL AND CULTURAL RESOURCES
ECONOMIC DEVELOPMENT
INTERGOVERNMENTAL COOPERATION
LAND USE
IMPLEMENTATION

Section 5. Adoption and Amendment of the Comprehensive Plan

The *Town of Green Valley Comprehensive Plan 2004* was recommended for adoption by Resolution # 2004-01 Plan of the Town of Green Valley Plan Commission on July 28, 2004 and by this ordinance by the Town of Green Valley Town Board of Supervisors on August 11, 2004. All subsequent amendments shall also require a recommendation by resolution of the Planning Commission and amendment of this ordinance that states the date of the amendment. This

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adopted and/or amended plan is the official Comprehensive Plan of the Town of Green Valley. The above mentioned comprehensive plan supercedes and replaces all comprehensive plans and land use plans previously adopted by the Town of Green Valley, except as explicitly provided for in the Comprehensive Plan document. The text, maps, tables, graphics, goals, objectives, policies, and recommendations of the comprehensive plan are intended to serve as a guide, as the Town of Green Valley undertakes subsequent actions to implement the plan, except as otherwise provided for under Wisconsin Statutes.

Plan Commission Resolution 2010-01, to recommend approval of the amendments to the original Comprehensive Plan, was adopted by the Plan Commission on January 6, 2010, and presented to the Town Board on January 13, 2010 for consideration. The Town Board adopted the amended Comprehensive Plan at their meeting on January 13, 2010

Section 6. Distribution of Comprehensive Plan or Amendments

Per Section 66.1001(4)(b) of Wisconsin Statutes, following adoption or amendment of the comprehensive plan, the Town of Green Valley shall send a copy of the adopted or amended ordinance, and the adopted or amended comprehensive plan document to all of the following:

- 1.) Every governmental body that is located in whole or in part within the boundaries of the Town of Green Valley
- 2.) The clerk of every local governmental unit that is adjacent to the Town of Green Valley, including every town, city, village, county and regional planning commission.
- 3.) The Wisconsin Land Council, in care of the Office of Land Information in the Wisconsin Department of Administration.
- 4.) The Secretary of the Wisconsin Department of Administration.
- 5.) The following public libraries:
 - a. Gillett Public Library
 - b. Pulaski Public Library
 - c. Oconto Falls Public Library
 - d. Shawano Public Library (Book Mobile)
 - e. Bonduel Public Library
- 6.) School Districts: Bonduel, Gillett, Pulaski, Cesa 8 and NE WI Technical College
- 7.) Area Historical Societies, area Housing Authority and Shawano Highway Department

Plan Commission Secretary will send copy of the Amended *Town of Green Valley Comprehensive Plan 2004*, to the above entities, once it is adopted by the Town Board.

Section 7. Public Participation Plan

1.) Requirements:

The Wisconsin Smart Growth Act, Section 66.1001(4)(a) Wisconsin Statutes requires the Town to "adopt written procedures that are designed to foster public participation, including open discussion, communication programs, information services and public meetings for which advance notice has been provided, in every stage of the preparation of a comprehensive plan. The written procedures shall provide for wide distribution of proposed, alternative or amended elements of a comprehensive plan and shall provide an opportunity for written comments on the plan to be submitted by members of the public to the governing body and for the governing body to respond to such written comments."

2.) Purpose

This public Participation Procedure is prepared to implement a public involvement process for the development of the Comprehensive Plan's 2010 Smart Growth Update and its components. The procedure brings diverse stakeholder viewpoints into the decision-making process, enabling the Town to make more informed decisions and improve quality through collaborative efforts. This procedure is designed as a general framework within which the Smart Growth Updates will operate. It promotes openness and two-way communication. It is not intended to affect requirements imposed by law, regulation, or contract agreements; neither does it modify any rights available to the public under the current law.

3.) Public Participation Goals and Objectives

The effectiveness of a plan depends upon its success in meeting the expectations of the public. Further, plans need to be reassessed periodically to determine if the public's evolving needs and expectations are adequately being met. This procedure ensures that the public will be kept informed of activities and given meaningful opportunities to participate in the development and review of public plans and policy.

4.) Procedures for Public Participation

Public Information Dissemination:

- a. The Town shall advertise public meetings, utilizing all forms of venues. These could include press releases and notices in the area media, Town of Green Valley newsletter articles, and direct mailings and any other means available at the time.
- b. For those citizens who cannot attend one of the public meetings, or for those that attend, but did not verbally communicate their thoughts, written comments will be encouraged.

Meetings:

- a. ~~Comprehensive Plan review was held during the~~ Regular monthly 'Smart Growth' meetings ~~were held~~ throughout the planning process, with public participation encouraged on every element as the process continued
- b. Notices were posted in the regular Town of Green Valley posting places for each 'Smart Growth' meeting
- c. Each Town of Green Valley newsletter included an article regarding the progress and listing the next quarters elements to be discussed
- d. ~~Invitations were sent on specific issues, such as economic development and agricultural resource elements to encourage specific portions of the public to participate in areas that would directly affect them.~~
- e. Reports were presented at the regular Town of Green Valley Town Board of Supervisors meetings every month during the planning process
- f. ~~Two One~~ Open Houses ~~were was~~ held to give the public and other governmental units an opportunity to view and offer comments on the ~~amended~~ 2004 Town of Green Valley Comprehensive Plan draft
- g. Specific invitations were mailed to surrounding governmental units, school districts, utilities, libraries, and other interested parties that had requested notification
- h. A public hearing was held, with postings and publication of the Class 1 notice thirty days prior to the hearing, to give the public an opportunity to review and comment on the draft of the Plan

- i. Maps of current and proposed areas of Land Use, Utilities Use, Zoning Areas were posted at the Open Houses and Public Hearing for discussion of the viewing public
- j. Notice of the original hearing was included in the Town of Green Valley newsletter in the June 2004 issue. No newsletter was in process prior to the 2009 Public Hearing, so the notice was posted & published as required
- k. Written comments on the plan were encouraged from the public prior to the hearing to be included in the minutes of that hearing.
- l. Amendments to the Comprehensive Plan shall follow the same general public participation process, when appropriate. 2010 amendment followed the same process as outlined above

Section 8. Detailed Components of Comprehensive Plan

Section 62.23(2) of Wisconsin Statutes provides that the Town of Green Valley may, from time to time, amend, extend or add to the Comprehensive Plan or carry out any part of the subject matter in greater detail.

Section 9. Appeals Process

Per WI St. #59.69(14), a decision must be a final decision of the government unit, either Plan Commission or Town Board of Supervisors, in order to be appealable. Advisory recommendations for adoption or amendment of a plan or ordinance cannot be appealed.

Quasi-judicial decisions by the Plan Commission are final and can be appealed to the Town Board of Supervisors, the local Zoning Board of Adjustment (if applicable) or circuit court.

Procedures for the appeal will include request in writing for the appeal, Plan Commission notification of the neighbors within a 500-foot buffer zone that the request for appeal has been received, and a specific date the appeal will be heard. Testimony may be taken anew.

A hearing must be scheduled within 60 days of the receipt of the written request for the appeal. Written determination will be presented to the requester upon the Plan Commission or Town Board of Supervisors reaching a decision. Project proponents have the responsibility of notification of other affected parties and neighbors.

Checklist for making a decision on an appeal should include the following:

- Was the commission or board empowered by statute or ordinance to act on it?
- Did the board or commission follow proper procedures?
- Did the board or commission apply proper standards in making their decision?
- Could a reasonable person have reached this conclusion?
- Do facts in the record of the proceedings support the decision?

Section 10. Severability: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

Section 11. Exceptions

The Town of Green Valley realizes that exceptions may be requested from time to time to the zoning and land use proposals presented in this plan. A person or persons may request a

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variance, conditional use application or change to the zoning of their property by presenting a written request to the Town of Green Valley Plan Commission. After a public hearing and recommendation of the Town of the Green Valley Plan Commission to the Town Board of Supervisors, recommendation will be made to the Shawano County Board of these decisions. Because the Town of Green Valley is under Shawano County zoning, the Shawano County Board will have the final say in approving all zoning changes, conditional use and variance requests.

Section 12. Enforcement

Enforcement authority for the provisions of the amended *Town of Green Valley Comprehensive Plan 2004* lay with the Town of Green Valley Town Board of Supervisors, or the Town Enforcement Officer, based upon the recommendation of the Town of Green Valley Plan Commission.

Section 13. Effective Date

Effective Date: The provisions of this ordinance shall take effect 08/11/2004.

Passed on 08/11/2004

Vote: for 3 Against 0

Posted in the following public places
within 30 days after board passage:
on 08/16/2004

*Post Office in Green Valley
Fire Station in Pulcifer
Community Center in Advance*

Arl Rudie, Town Chairperson

Attested By:

Kaye Rundquist, Acting Clerk

Gary Uelmen, Supervisor

Dale Morris, Supervisor

2010:

Effective Date of Amended Ordinance shall take effect 1-13-10

Passed on 1-13-10

Vote: for 3 Against 0

Posted in the following public places
within 30 days after board passage:

on 1-13-10

*Cluster boxes in Green Valley
Fire Station in Pulcifer
Community Center in Advance*

Arl Rudie, Town Chairperson

Attested By:

Janalee Jenerou, Town Clerk

Gary Uelmen, Supervisor

Terry Tipton, Supervisor

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